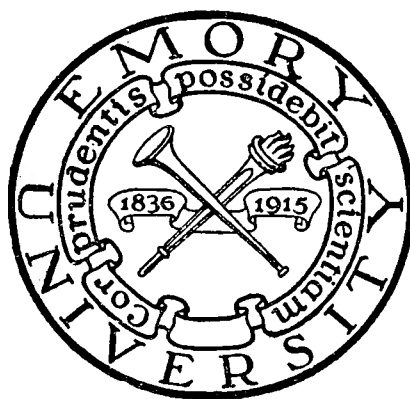


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JOURNAL

OF THE

SENATE

OF THE

STATE OF GEORGIA

AT THE

ANNUAL SESSION

OF THE

GENERAL ASSEMBLY

JOURNAL

OF THE SENATE

OF THE

STATE OF GEORGIA.

MILLEDGEVILLE, GEORGIA,)
NOVEMBER 7TH, 1860.)

The Senate, in accordance with the requirements of the Constitution of the State of Georgia, convened this day (in its Annual Session) at Milledgeville, and was called to order by its President, the Hon. T. L. Guerrev, Senator from the county of Quitman.

The roll being called, the following Senators answered to their names, to wit:

Alexander, Allred, Barclay, Barrow, Bartlett, Batts, Billups, Boggs, Bond, Briscoe, Brown, Burnett, Byars, Carter of Echols, Carter of Elbert, Cloud, Collier, Cooper, Cook, Cone, Cowen, Davis, Delaperiere, Denham, Donaldson, Ferrill, Flewellen, Fulton, Glover, Green, Grice, Griffin of Brooks, Griffin of Twiggs, Harris of Dougherty, Harvin, Hill of Sumter, Hill of Wilkes, Hines, Hitchcock, Holt, Hyde, Ivey, Jamison, Johnson of Clayton, Johnson of Cass, Jordan, King, Lockhart, Lott, Maddox, Maples, Merrill, McDuffie, McGehee, McLeod, McRae, Moore of Laurens, Moore of Whitfield, Oliver, Paine, Poole, Printup, Pruitt, Quillian, Reid of Morgan, Reid of Taliaferro, Ritch, Robinson, Roberts, Rushin, Sawyer, Seward, Shelton, Sirman, Snell, Stowers, Summerour, Sweat, Tatum, Tillman, Tur-

ner, Trippe, Usry, Walker, Wallace, Ward, Ware, Wellborn, Wells, White, Whitehurst, Whitworth, Williams of Berrien, Williams of Rabun, Williams of Terrell.

On motion, the following newly-elected Senators appeared, presented their credentials, and having taken the oath prescribed by the Constitution of the State before the President, took their seats, to wit :

The Hon. William Ashley, Senator elect from the county of Lowndes.

The Hon. John Davison, Senator elect from the county of Richmond.

The Hon. John S. Duncan, Senator elect from the county of Chattahoochee.

The Hon. Benj. W. Ferrill, Senator elect from the county of Spalding.

The Hon. Joseph H. Gaston, Senator elect from the county of Meriwether.

Mr. Cone offered the following resolution, which was taken up, read, and agreed to :

Resolved, That the Secretary inform the House of Representatives that the Senate is organized and ready to proceed to business.

On motion, leave of absence for a few days was granted Messrs. Harris of Worth and Smith of Talbot.

On motion of Mr. Johnson of Clayton, the desks in the Senate Chamber were ordered to be arranged as they were at the last Session.

Mr. Cone moved that the rules of the last session of the Senate be adopted as its rules for the present session, which was agreed to.

Mr. Holt offered the following resolution, which was taken up, read, and agreed to, to wit :

Resolved, That the President appoint a committee of three to join such committee as may be appointed by the House of Representatives, to wait upon His Excellency the Governor, and inform him that the General Assembly is organized and ready to receive, after the hour of ten o'clock tomorrow, any communication he may have to submit.

In pursuance of which resolution, the President appointed Messrs. Holt, Fulton, and Johnson of Cass, as that Committee on the part of the Senate.

Mr. Seward offered the following resolution, which was read :

Resolved, That the Senate proceed to the consideration of the unfinished business of the last session.

Mr. Hill of Wilkes offered the following resolution, which was taken up, read, and agreed to:

Resolved, That the Secretary be instructed to have two hundred copies of the rules of the Senate printed for the use of Senators.

The following message was received from the House of Representatives, by Mr. Hillyer, their Clerk:

Mr. President—I am directed by the House of Representatives to inform the Senate that they have organized by the election of the Hon. Charles J. Williams, the member elect from the county of Muscogee, as their Speaker, to fill the vacancy occasioned by the death of the Hon. I. T. Irvin, of the county of Wilkes, and that they are now ready to proceed to business.

On motion of Mr. Fulton, the Senate then adjourned until ten o'clock to-morrow morning.

THURSDAY, NOVEMBER 8TH, 1860, }
10 O'CLOCK A. M. }

The Senate met according to adjournment.

Mr. Collier offered the following resolution, which was taken up and read, to wit:

Resolved, By the Senate and House of Representatives of the State of Georgia, in General Assembly met, That we convene in the Hall of the House of Representatives, on Saturday, the 10th instant, at 11 o'clock in the forenoon, to elect one Judge of the Supreme Court, to fill the vacancy occasioned by the resignation of the Honorable Linton Stephens; and in case said day should elapse without convening for said purpose, then so soon after this resolution shall pass, and the House shall inform the Senate of their readiness to receive them.

Mr. Fulton moved to amend the resolution by striking out the words "Saturday the 10th," and inserting in lieu thereof the words "Friday, the 9th," which was agreed to.

The resolution as amended was then agreed to.

On motion, the Secretary was ordered to transmit the same forthwith to the House of Representatives.

Mr. Cone, chairman of the committee appointed to wait upon His Excellency the Governor, reported that they had discharged the duty assigned them, and that His Excellency the Governor would communicate this day a message to both branches of the General Assembly.

The following message was received from His Excellency, by Mr. Waters, his Secretary, to wit :

Mr. President—I am directed by His Excellency the Governor to deliver to the Senate his Annual Message, with accompanying documents. Also, a Special Message upon the subject of our Federal Relations.

On motion of Mr. Cone, the Annual Message of His Excellency the Governor was taken up and read as follows :

EXECUTIVE DEPARTMENT,)
MILLEDGEVILLE, GA., November 7th, 1860.)

Follow Citizens of the Senate
and House of Representatives:

The financial operations of the State Government for the fiscal year ending 20th October, 1860, are shown by the following statement:

RECEIPTS.

| | |
|---|-----------------------|
| Balance of cash in Treasury, 20th Oct, 1859, | \$288,768 00 |
| Received from general tax of 1859, | 377,513 39 |
| “ “ “ “ 1860, | 1,200 00 |
| “ “ tax on Bank Stock, | 33,185 29 |
| “ “ “ Railroads, | 11,217 77 |
| “ “ “ Insurance Companies, | 1,578 68 |
| “ “ “ Lotteries, | 4,000 00 |
| “ “ “ Foreign Bank Agencies, | 1,830 44 |
| “ “ “ Express Companies, | 23 80 |
| Net incomes paid into the State Treasury from Western & Atlantic R. R., | 450,000 00 |
| Paid into Treasury by the Bank of Savannah, for use of the School fund and other de- posits, as per contract under Act of 1858, | 5,945 20 |
| Received for stock in the Milledgeville and Gordon R. R. Co.; sold under Act of 1859, | 20,212 50 |
| Received from sale of State bonds to pay for stock in the Atlantic & Gulf R. R. Co., | 201,250 00 |
| Received on Bonds, purchased under Act of 1858, of Penitentiary, | 23,103 64 |
| Received from other miscellaneous sources, | 3,636 07 |
| Total of Receipts, | \$1,453,930 78 |

DISBURSEMENTS.

| | |
|---|-------------|
| Paid on Civil Establishment and Contingent Fund, | \$81,081 93 |
|---|-------------|

| | |
|--|----------------|
| Paid to the Ordinaries of this State for | |
| School purposes, | \$149,565 00 |
| “ for the purchase and distribution of arms and other military equipage, | 42,801 73 |
| “ to members and officers of the Legis- lature of 1859, | 115,849 96 |
| “ to redemption of Public Debt, <i>due</i> , | \$32,560 00 |
| “ to redemption of Public Debt, <i>not due</i> , | 117,000 00 |
| “ interest on Public Debt, | 204,752 10 |
| “ to Atlantic & Gulf R. R. Co., <i>in cash</i> , in lieu of State Bonds in payment of States’ sub- scription for stock, | 50,000 00 |
| Total paid for Public Debt, | \$404,292 10 |
| “ to Lunatic Asylum, | 29,170 62 |
| “ to Academy for the Blind, | 20,000 00 |
| “ to the Institution for education of Deaf and Dumb, | 8,000 00 |
| “ to the Georgia Military Institute, | 6,550 00 |
| “ by sale of State Bonds for stock in A. & G. R. R. Co., | 200,000 00 |
| “ on other special appropriations by the Legislature, | 121,798 90 |
| Total Disbursements, | \$1,179,110 24 |
| Excess of Receipts over Disbursements, now in the Treasury, in cash, | \$274,820 54 |
| Of this sum, \$241,727 90 will be required to pay appropriations made at the Session of 1859, not yet drawn; leaving a net balance, after all appropriations are paid off, | \$33,092 64 |
| Other assets belonging to the State, not in- cluding the W & A. R. R., Public Buildings, &c., to-wit: | |
| Stock in At’c & Gulf R. R. Co., \$500,000 00 | |
| Bank Stock, | 290,900 00 |
| Railroad Bonds purchased of Pen- itentiary, | 14,625 00 |
| Central Bank assets—solvent. | 1,500 00 |
| Total of above assets, | \$807,025 00 |
| Total of cash and other assets, | 840,117 64 |
| The whole public Debt of the State, not in- cluding her obligation to increase the subscription for stock in the Atlantic & Gulf R. R. Co., is, | \$2,670,750 00 |

The value of her Public property including the Western & Atlantic Railroad, is supposed to be, \$8,000,000 00

From the foregoing statement it will be seen, that thirty-two thousand five hundred and sixty dollars only of the public debt fell due the past year which has been paid; and that \$117,000 00 of the bonds *not due*, have been redeemed; and \$204,732 of interest on the public debt has been paid. Had the bonds been in the market, at par, the condition of the Treasury would have enabled me to increase this last amount; but more of them could not be purchased, after public notice given in the newspapers, by the Treasurer, at my suggestion, that the bonds of the State, without regard to the time when due, would be redeemed, at par, on presentation at the Treasury, or at the Bank of Savannah, or the Georgia R. Road and Banking Co., at Augusta. As I knew of no statute authorizing me to purchase the bonds of the State at a premium, and as there was a very considerable surplus in the Treasury, I thought it best to refuse to issue other State bonds in payment of the State's subscription to the A. & G. R. Road, and to pay the installments, in cash, till the balance in the Treasury should be exhausted. I accordingly ordered the last installment of \$50,000, of the first subscription of \$500,000, to be paid in cash; which added to the sums paid to interest on the public debt, and to the redemption of State bonds, &c., makes the sum of \$404,292 10 paid on account of the public debt, during the past year; and leaves in the Treasury, in cash, a balance of \$274,820 54; of which, \$241,727 90 will be required to pay undrawn appropriations of 1859; leaving a net balance of \$33,092 64.

UNIVERSITY OF GEORGIA.

The far seeing wisdom of those who framed our State Constitution, not only grasped, but fully comprehended the importance of promoting the Arts and Sciences, when they inserted in that instrument, the following clause:

"The Arts and Sciences shall be promoted in one or more Seminaries of learning; and the legislature *shall*, as soon as may be, give such *further donations and privileges* to those *already established*, (the State University was then established,) as may be necessary to secure the objects of their institution."

This is still a portion of the constitution, which I, and each of you, have sworn to "observe, conform to, support, and defend." Have the spirit and intention of this provision of the constitution, been carried into effect by the legislature, in the meagre endowment which the State University has received from the State? Have the objects for

which the University was instituted, been *secured*? If not, is the State not abundantly able to carry the spirit and intention of the constitution into effect, without embarrassment to her government, or burden to her people? If so, can we, consistently with the oaths which we have taken, refuse to make the necessary appropriation? These are questions well worthy the serious consideration of each and every one of us. But, aside from any obligation which the constitution imposes upon us, can we doubt the wisdom and sound statesmanship of such a course? I cannot think that it is sound policy for Georgia to refuse to endow her University, while her people send out of the State, in a few years, for the education of their children, a sum of money more than sufficient to make the endowment which would be necessary to draw large numbers of the youths of other States to our University, to be educated. This would cause Georgia to receive the money of other States, for the education of their children, instead of paying her money to other States for the education of her own.

That State is always the most wealthy, powerful and respected, in which knowledge is most generally diffused, and learning, in all its branches, most liberally encouraged. We cannot doubt that England is indebted, in a very great degree, to her Universities of Oxford and Cambridge, and to the influences which have gone out from them, for her ability to dictate laws to a large portion of the world, and to draw wealth from every quarter of the globe. Nor can we deny that Massachusetts, by her liberal course towards her Cambridge, and Connecticut, by her liberality to Yale College, have greatly enlarged their wealth at home and increased their influence abroad; and have been able, through the instrumentality of their Universities, to instil into the youthful minds of the educated of all the other States of the Union, many of their own peculiar notions of religion and government; while they have drawn millions of money, from other States, for the education of their children. Georgia has contributed largely to build up Northern Colleges; and has purchased from them, or those educated by them, most of her text and school books, and much of her literature. Most of those Northern Colleges, which have shared so largely the Southern patronage, are now hostile to Southern institutions. Notwithstanding all this, they still get Georgia patronage; because it is believed they can furnish educational advantages superior to those afforded by Georgia Colleges. This might not now have been the case had the money sent out of Georgia by parents and guardians, for education, been expended at our own University. Is it not time we

had learned wisdom by experience? We claim that ours is the Empire State of the South. Why then should we refuse to endow and build up our University, where the sons of the South may enjoy educational advantages equal, if not superior, to those offered by New England Colleges; where authors may be reared and literature and school books produced, which will enlighten and elevate the minds of our youths, without subjecting them to abolition taint or New England fanaticism?

After mature deliberation upon this question, I feel it my duty to recommend the appropriation of five hundred thousand dollars, to be paid in five annual installments, of one hundred thousand dollars each, for the endowment of our State University. This sum, added to the present endowment, would be sufficient to construct the buildings, purchase the library and apparatus, and endow the Professorships, necessary to make it, in a few years, a first class University; and would further enable the Trustees to pay such salaries as would command the services of the most distinguished Professors in the country. This would at once give the University a commanding position in the Southern States, and relieve us from the necessity of further patronising Northern Colleges. I think the heart of every Georgian should swell with pride at the contemplation. And I do not doubt, when the question shall be fully discussed before our people, that they will be found to be in advance of most of our politicians, upon this subject. He who does right will seldom have cause to fear the popular verdict.

The aggregate *taxable* property of this State, is supposed to be, this year, about \$700,000,000. The seventieth part of *one* per cent. upon this sum, will raise, annually, the \$100,000. This will be a fraction less than *one cent and a half*, per annum, on each one hundred dollars' worth of *taxable* property, or a fraction over *seven cents* on each one hundred dollars of *taxable* property, to be paid in *five annual installments*.

What Georgian is so destitute of State pride, apart from every consideration of patriotism and sense of duty, that he would refuse to pay this small sum to see our State University fully endowed, for all time to come, and put in a position of equality with any University in the Union? I think I know the great masses of the farmers and mechanics of our State, who are its very bone and sinew, and upon whom every other class of citizens is dependent for its support, well enough to say for them, in advance, that many of our public men underrate their intelligence and liberality; and that not one in every twenty of them, who pays tax on one thousand dollars' worth of property, would hesitate a moment to contribute *a dime*

and a half a year, for five years, for the purpose of building up a University which would place Georgia in the very front rank of all her Southern sisters, where the young men of the South who, in future, are to conduct its government, direct its energies and defend its honor, may be educated, without assisting by their patronage, to build up, elsewhere, institutions at war with our dearest rights. But it is not indispensably necessary that even the small additional tax above mentioned, should be collected from the people, for this purpose. Each annual payment might be made out of the incomes of the Western and Atlantic Railroad, and the tax at present paid by the people of this State, be *reduced* within the five years; and we would still have money enough to meet promptly, in times of peace and prosperity, all the necessary expenses of the government.

In return for this appropriation, the University should be required to educate and maintain, from year to year, such number of poor young men as the legislature which makes the appropriation, may direct. I would suggest that the number be one from each county in the State; to be selected in such manner as the legislature may prescribe. The young men selected as beneficiaries, should be such only as have not the means to educate themselves, and whose parents are unable to defray the expenses of a collegiate education for them. Each should be required, when he enters the University, as a consideration for the instruction he is about to receive from the State, to sign a pledge of honor, that he will, if not providentially prevented, teach school, in Georgia, as many years next after he leaves the University as he was instructed in the University, or refund to the State the money expended in his education with lawful interest. The benefits of a collegiate education should not be confined to the sons of the wealthy; but the State should provide, as far as possible, for the education of moral young men who are talented and promising; and who, by reason of their poverty, are unable to educate themselves. From this class would rise up many of our most distinguished and useful citizens. Many of the brightest and most intelligent boys in Georgia, are found among the poorest and humblest of her citizens. Inured to labor from their infancy, when the portals of the College are thrown open to them, they are not unfrequently found to outstrip the more favored students; and afterwards, when they come to enter the arena of active life, they are usually more energetic and more likely to become distinguished and useful, than those whom necessity has never taught the value of personal exertion. Many of these young men would make teaching a profession for life;

which few of the sons of the wealthy after graduating in college are willing to do.

It is generally admitted by the most intelligent and best informed, that the establishment of a State University, of a high character, would work no detriment to the denominational, or other colleges of the State. The graduates of our other colleges, desirous of pursuing their studies beyond the college course, and of fitting themselves, by still higher attainments in learning, for the duties of authors, professors, &c., would transfer themselves to our own University, without being under the necessity of leaving our own State to secure the necessary advantages. The building up of the University upon the plan proposed, would also do much to advance our common school project; as it would send out, in a few years, a large number of young men as teachers, truly southern in sentiment and well qualified for the position. This would supply, in a great measure, what is now a lamentable deficiency; and would elevate and give new life and vigor to our whole educational system.

In connection with the foregoing recommendations and suggestions, and in obedience to the requirements of the Act of the 14th of December, 1859, I herewith transmit copies of the Annual Reports of the Board of Trustees, and of the Board of Visitors, of the University

COMMON SCHOOLS.

The School Act of 1858, makes it the duty of the Governor, as the public debt is paid, to issue new bonds for an amount equal to the sum paid; which are to be made payable to the Secretary of State, as Trustee of the Educational Fund of Georgia. Considering the State's subscription for stock in the A. & G. R. Road Company, when made under the provisions of the charter, as part of the public debt, I have issued and filed in the office of the Secretary of State, \$200,000 of School bonds; which sum includes, in round numbers, the amount paid in cash on subscriptions for stock in the A. & G. R. R. Co. and the amount paid to bond holders, not including interest during the year. These bonds bear date the first day of November, 1860, and are due twenty years after date. The interest accruing on them, at six per cent. is payable annually at the Treasury, and is to be used solely for educational purposes. I think it our true policy to continue to increase the School Fund, and to encourage, by every means in our power, a general spirit of education among our people.

During the past year, \$150,000 have been distributed from the Treasury among the counties for educational purposes, less a small balance not drawn by the counties entitled to it. Under existing laws, a like sum of \$150,000 may

be distributed this year. I am happy to say that this fund is enabling thousands of children to acquire the rudiments of an education; who, without it, would be entirely destitute of the means of doing so.

I again renew the recommendation made in my last annual message, that the proper authorities in each county, be required by law, to assess and cause to be collected, at least twenty-five per cent on the State tax, to be added to the school fund of the county; and that, on failure of any county to make the assessment, such county be deprived of all participation in the State fund for distribution during the year in which no county collection is made.

I also recommend the enactment of a law, making it a crime punishable by confinement and labor in the Penitentiary, should any Ordinary or Treasurer of the educational fund, in any county, convert or dispose of the school fund, or any part of it, to his own use; or fail or refuse, when called on to pay it out promptly in obedience to the order of the legal authority in the county for which he is Treasurer.

I am informed that the Board of Education in many of the counties, have provided that the fund be distributed among the school districts of the counties in proportion to the number of children in each; and that, when no school is taught in a district during the year, the portion assigned to it, be kept for another year. I recommend the passage of a law requiring the Ordinary or Treasurer of the fund, in every such case, to keep such portion of the fund at interest, till paid out by him upon the draft of the Board of Education of his county; and that, in case any district fails to have a school, for as long as two years in succession, that the fund set apart for that district, be apportioned among the other districts of the county in which schools have been taught.

NORMAL SCHOOL FOR FEMALES.

I am informed by a highly intelligent citizen of this State, who has given much attention to the subject, that a Normal School for the education of female teachers, where one hundred and fifty may be educated annually, can, after the necessary buildings are erected, (which will not be costly) be maintained upon the interest of one hundred thousand dollars; and that the State, if she will make that appropriation, can secure an ample guaranty for the success of the school. The school would be organized upon the plan, that the girls educated there, divide among themselves, and do in their turn, all the cooking, washing, and other labor, necessary to be done at the school. Each would be required to furnish her own clothes. The actual cost of maintaining each in the school, would therefore be,

the prime cost of the provisions used by each, together with books, lights and fuel.

At this school, which should be located in some healthy portion of our State, large numbers of young females, whose parents are unable to educate them, might be prepared to teach our primary schools, or indeed, to teach in any of our schools. While receiving their scholastic education at the Normal school, these young ladies, would also receive, a domestic education, which would be of great utility to them in any position which they might occupy in after life.

I apprehend no argument will be necessary to convince the General Assembly of the great importance of educating our female teachers at home. For the accomplishment of this object, I recommend the establishment of a Normal School upon the plan above proposed.

GEORGIA MILITARY INSTITUTE.

As President of the Board of Visitors of the Georgia Military Institute, I attended the examination of the classes, and the commencement in July last; and I feel confident that each member of the Board will concur in the statement, that the discipline and government of the Institute, are greatly improved. The result of the examinations was alike creditable to the young gentlemen composing the classes, and to the Faculty by whom they were instructed. The present Superintendent is a gentleman possessed of high qualifications, long experience and great moral worth: and will, I have no doubt, in a few years, place the Institute in a position of equality with any Military School belonging to any State in the Union, if the legislature will make the appropriations, which are necessary to complete the buildings, provide comfortable quarters for the Cadets, and secure the salaries of the faculty, so as to place them in a position of independence in the government of the Institution.

I recommend the appropriation of twenty-five thousand dollars, for the construction of the buildings which are necessary. I also recommend the passage of a law, increasing the number of State Cadets, to one from each county in the State, and requiring each State Cadet, when he enters the Institute, to sign a written obligation and pledge of honor, to refund to the Treasury of this State, so soon as he is able, the money expended by the State in his education, with interest; or to teach school within the county from which he is sent, for as many years next after he leaves the Institute as he was instructed there. In an educational point of view, this would be of incalculable value to the State: as it would supply our people with a large number of highly educated, Southern born teachers: and would tend to

stop the influx of Northern teachers, who have too often been abolition emissaries in disguise, sowing the seeds of discontent among our slaves, and planting outposts of abolitionism upon our territory. Let it not be forgotten by our people, that the high-priest of the present Black Republican party of the North, in his youthful and more humble days, was fostered as a northern teacher, in the bosom of Georgia; and that after she had warmed him into life, and put money in his pocket, he deserted her; and now attempts to sting her very vitals. He is only the most distinguished of a class. It is cheerfully admitted, however, that all northern teachers are not subject to the above charge. Many of them are among our most reliable and valuable citizens. But to avoid the contamination of the wicked and designing, it is the duty of the State to educate and employ Southern teachers only, and stop all further importation of such, as may, or may not be true to Southern interest.

In a military point of view, also, I consider the above recommendation as highly important. It would not only put the Institute upon a solid basis, and add largely to the number of educated persons in our State, affording a collegiate education to many of the poorest, though brightest and most intellectual boys in Georgia, but would diffuse a knowledge of military science among the people of every county in the State; which all must admit, in these perilous times, is a *disideratum* second in importance to no other.

We should not only arm our people, but we should educate them in the use of arms, and the whole science of war. We know not how soon we may be driven to the necessity of defending our rights and our honor, by military force. Let us encourage the development of the rising military genius of our State; and guide, by the lights of military science, the energies of that patriotic valor which nerves the stout heart, and strong arm of many a young hero in our midst, who is yet unknown to fame. Three or four of the most gallant and promising young volunteer corps in the State have been organized, and are now commanded by young gentlemen educated at the Military Institute. It would be gratifying to see this number largely increased. These young commanders reflect great credit upon the Institute where they were educated, and are looked to in future, should emergencies require it, to lead our armies in the field, and strike in the front rank, for the protection of our rights and the vindication of our honor. Hence, I earnestly commend the Georgia Military Institute to the fostering care of the Legislature; and I trust it will not be wanting in liberality to an Institution so important to the future protection and greatness of our noble State.

For the preservation of the buildings of the Institute, it became necessary during the past year, to re-cover one of them, and to make substantial repairs on others. These repairs were made under my direction. The sum due the carpenters for the material and labor, is \$1,322 36. I recommend that this sum be appropriated at an early day.

FOUNDRY.

In this connection, I beg leave again to call the attention of the General Assembly to the importance of erecting a Foundry in this State, for the manufacture of arms and other munitions of war. At your last session, an appropriation of \$75,000 was made, for the purchase of arms, to supply the Military Corps of this State. I found it necessary to go into the Northern Market to make the purchase. It was soon discovered, however, that the United States regulation muskets and rifles, could not be had in the market. Manufacturers were then applied to, to make them for us. This was refused, on account of their engagements with the United States Government. The best that could be done, was to go to the Foundry of Mr. Eli Whitney, of Connecticut, and get him to make for us an arm, which it is feared, is not equal to the arms in use in the United States service. Mr. Whitney would not agree to deliver the last of the quantity needed, in less than five months time; and I regret to say, that he has violated his promise, and failed to deliver the arms within the time stipulated in the contract; and that part of them are not yet delivered. The same is true of the Ames Manufacturing Company of Massachusetts; which agreed to supply us with accoutrements. The consequence has been, much dissatisfaction on the part of our Military Corps, caused by the delay; which it was not in my power to avoid. I am informed that other Southern States have had the same difficulties to contend with. The appropriation in this State, is not sufficient to supply all the Corps, which have been, and are being formed. I recommend an additional appropriation sufficient to complete the supply. In my opinion, Georgia and the other Southern States, ought not longer to remain in their present state of dependence upon the Northern manufacturer for the means of defence. It is believed, and is doubtless true, that we have as good material in this State for the manufacture of arms, as can be found in any part of the world; with every facility necessary for the work. Why then should we not make a supply for ourselves, and receive the patronage of such other Cotton States, as have not the same natural advantages, and do not make their own arms?

I herewith lay before you, the report of General

Ira R. Foster, Captains John W. Anderson and Peyton H. Colquitt, Commissioners appointed by me, under the authority of the act of 18th of December, 1859; with an estimate of the amount which it will cost to establish a first class foundry, for the manufacture of arms. I recommend the appropriation of a sum sufficient for that purpose, unless the legislature should deem it better policy to authorize the Governor to contract with some private person or company, to erect a first class Foundry in this State, for the manufacture of arms and munitions of war, and bind the State to give such patronage to it, for a period of years after its completion, as will secure its erection.

Maj. R. S. Ripley proposes to erect the necessary works, in one of the States of Georgia, Alabama, or South Carolina; provided each of these States will bind itself to receive from the Foundry, after it is completed, \$50,000 worth of arms, at Government prices, each year, for five years, with a less patronage for a longer time. The action of the last legislature indicated the will of the General Assembly to establish such Foundry, *in Georgia*; and as Maj. Ripley refused to give assurances that the Foundry would be erected in this State, I do not feel at liberty to indicate any preference in favor of his proposal.

I am informed by Hon. Mark A. Cooper that he can, on short notice, organize a company at Etowah, with sufficient capital, to manufacture arms of any quality needed by the State, if she will give a liberal guaranty of future patronage, by the purchase of good arms from the company, at reasonable prices. He has the dams and other improvements of the water power, already constructed, at a most eligible location for the business. With the advantages afforded by the improvements already made, I have no doubt that a first class foundry could be completed at Etowah with less delay than at any other place in the State.

I have paid out of the Contingent fund, the expenses of the Commissioners, above named, while engaged in the performance of the duties assigned them. I recommend such appropriation as may be reasonable and just, to compensate them for their services.

VOLUNTEER CORPS.

Most of the bonds given by the officers of military companies in this State, prior to 1856, for the return of arms and accoutrements furnished them by the State, seem to have been lost or mislaid; and I have been unable, at any time since the commencement of my term in office, to find them, after the most diligent search. But few of the arms heretofore distributed, have been returned to the State Armories, or otherwise accounted for; and, as far as I know,

not a dollar has ever been recovered by the State for them. In many cases, it is said, the arms have been scattered over the country ; and in some instances, not a few of them have been carried out of the State, by persons moving West. To prevent, if possible, this loss or misapplication of the public arms, I have recently ordered to be kept in the Executive office, a book in which each company is charged with the arms furnished to its officers, and which are particularly described on the record. As a further means of effecting this object, I recommend the passage of a law requiring the Secretary of State, to record in a book to be kept in his office for that purpose, all bonds given by the officers of Military Corps for the proper use and return of the public arms ; and that certified copies of such bonds be received in evidence in case of the loss of the originals.

I would respectfully suggest the passage of a law prescribing the quality of arms to be furnished to each military corps, of each class ; as cavalry, infantry, &c., for the purpose of drill. Each company now desires to be supplied with the best arms that the State can purchase ; and if we may judge of the future by the past, in a few years many of these arms will be either lost to the State by the disbanding of companies, or be reported in very bad condition. It would, in my opinion, be better to furnish a cheaper arm for the purpose of drill, and to keep in the Arsenal an abundant supply of the very best arms that can be manufactured, to be placed in the hands of the companies, new and in good order, at any moment when they may be called into active service.

STATE ARSENAL.

For the purpose of keeping these arms safely and in good condition, I recommend the erection of a suitable Arsenal, at the Georgia Military Institute ; and that the public arms be deposited there ; and that the State Cadets of the Institute, under the direction and control of the Superintendent, be charged specially with the duty of guarding, protecting and keeping them in good order. If the Arsenals of the State are full of valuable arms, a sufficient guard is necessary ; and I know of no more appropriate mode of supplying this necessity than that of charging those who are receiving a military education from the State, with the duty of taking care of her arms and munitions of war.

ORGANIZATION OF THE MILITIA.

In view of the perils to which the people of this State may soon be exposed by those who ought to be the first to accord full justice to them, I recommend the passage of all such laws, as are necessary to a complete organization of the Militia of this State. A more thorough training

should be provided for, and heavier penalties inflicted upon those who neglect or refuse to do military duty. The organization of new volunteer corps should be especially encouraged by the State. I renew the recommendation heretofore made to the Legislature that a commutation tax sufficient to raise a military fund ample for the support of the system be collected from those who do not perform military duty.

STATE GEOLOGIST AND CHEMIST.

I also renew my recommendation of last year, for the appointment of a State Geologist and Chemist. Probably few of our citizens living in other sections of the State, have formed a correct estimate of the immense value of the mineral region of Georgia. It is believed that the quantity of iron ore, of the very best quality, within her borders, is sufficient to supply the demand of all the Southern States, for that most important of all metals, for centuries to come. This ore is chiefly found in a very healthy section of the State, where there is abundant water power, of the finest character, upon never failing streams. The great grain growing section of the State embraces these iron mines. Provisions may generally be had cheap. The coal fields of Georgia and Tennessee are in close proximity, and a railroad communication is already established between the two. Lime, charcoal, and every other material necessary in the manufacture of iron, may be had in great abundance near the mines. I think I may truly say, that no State in the Union possesses superior advantages for the manufacture of iron. If this interest were fully developed, it would add millions to the wealth of Georgia, and would tend greatly to increase her population. It would afford profitable employment to a large number of laboring men. retain large sums of money in the State, now sent out annually for the purchase of iron; and would make the State much more powerful and independent, in her present or any future position she might be called upon to assume.

There are also very extensive and valuable Slate quarries, in this mineral region. One of these, in Polk county, is already being developed and worked to advantage by its enterprising proprietors. I commend these valuable interests to the protecting care of the legislature. Gold, silver, copper, lead, manganese, and other valuable minerals and metals, have also been found in different sections of our State. Much money has been wasted in the search after these metals by persons lacking the necessary information to guide their labors in the right direction. If the energies of practical men engaged in the search, were directed by scientific knowledge of the subject, results would no doubt be produced the most interesting and val-

uable to the State. To this end, the importance of a thorough Geological survey of the State, by a man of eminent ability, cannot be too highly estimated. The appropriation for this purpose, if made, should be sufficient to secure the services of a man of the highest character in the profession.

To the duty of making a Geological Survey of the State, should be added that of making a chemical analysis of the different qualities of soil in the different sections of the State; so as to afford the planters in each section, necessary information as to the kinds of productions to the raising of which each kind of soil is best adapted, and the kind of manures best suited to each different quality of soil. This, it is believed, would be of great value to the planting interest. Certainly no class of our population has stronger claims upon the liberality and bounty of the legislature; and none has been longer neglected. Every appropriation necessary to the advancement and encouragement of agriculture, should be promptly and cheerfully made by the legislature.

ETOWAH MANUFACTURING AND MINING CO.

The efforts made by Hon. Mark A. Cooper, for the development of the vast, dormant, mineral wealth of Georgia, have been equaled by those of no other citizen of the State. Since the commencement of his operations, he has paid to the State of Georgia, according to the best information that can be had from the books, \$111,294.83, for freights on the State Road; while the productions of his establishment, shipped from it, upon which freights have been paid by purchasers and consumers, which has been an income to the Road, that would not have been realized by it, but for his operations, have probably amounted to a sum quite as large; making over \$220,000, which the State has received in freights, upon the material for, and the productions of his mills and factories. He has also afforded the employment which has for years supported over one thousand of the population of the State; and has contributed largely in bringing to light hidden wealth of incalculable value. In doing this, he has exhausted the best energies of his life, imperiled his private fortune, and made other important sacrifices. His capital being insufficient, he has been obliged to resort to the use of his credit, to carry on the work. He is now much embarrassed, and will probably be obliged to suspend his operations and lose all he has invested, unless the State will afford him such assistance, by lending him the use of her credit, as may be necessary to enable him to progress with the development. The Etowah Manufacturing and Mining Company, of which he is the principal, I am informed, now owns about 12,000 acres

of land in the vicinity of the works. Upon the premises, are in operation two excellent furnaces for the making of pig-iron, one extensive Rolling mill and Nail factory, a large merchant mill for the manufacture of flour, with other valuable improvements. The company also owns three and three quarter miles of railroad, (except the iron on the track,) connecting the property with the W & A. Railroad. Neither the location for manufacturing, nor the water power, can be excelled in any State in the Union. The whole property is estimated, by good judges, to be worth, at a low calculation, \$300,000. I am informed by Maj. Cooper, that \$250,000 will pay the entire indebtedness of the company, and give him the means necessary to advance with his operations; and that if the State will loan him the use of that amount of her six per cent. bonds, (upon which money can readily be raised at par in the market,) he will issue and deliver to the State the same amount of seven per cent. bonds of the company, and secure their payment, together with the interest payable semi-annually, when due, by a mortgage of the entire property to the State; which he agrees may be foreclosed by Executive order, and the property sold under execution issued by the Comptroller General, on sixty days notice, at any time when the Company fails to meet promptly any payment of principal or interest, on the bonds, when due.

As a further consideration for this relief, the Company will bind itself to furnish to the W & A. Railroad, from time to time, and at all times when needed, as much merchant bar-iron, of all sizes, and of the best quality, as may be necessary for perpetual repairs, &c., upon said road, at *three and a half* cents per pound; which is lower than iron of *similar quality* can be bought in the markets of this State, and in fact little more than covers the actual cost of manufacturing it, as this iron is made to order in a special manner. They will also agree to furnish promptly, when needed, all the railroad bar-iron required for the repairs of the Road, at five dollars per ton *less* than it now costs the Road.

In communicating this proposition to the General Assembly, I do not propose to attempt an enumeration of the different interests which the State has, in other respects, dependent upon the success of this important enterprize. Its importance to the State will be readily comprehended by every intelligent citizen. I feel it my duty, however, to inform the General Assembly, that the freights paid to the State Road by this establishment, and by other persons upon its productions, amount to about \$25,000 per annum; which sum will be lost to the State, annually, in case the work is suspended; which will be considerable more than the interest on the bonds above mentioned, were they issued to the company, and the interest paid by the State, in-

stead of being paid by the company. This, it seems to me, is not, therefore, the ordinary case of an unsuccessful person, or corporation, applying to the State for assistance. It is a case in which the State has a large interest at stake; and in which, not only sufficient security, but ample compensation for the accommodation asked, is offered to the State. I submit the question to enlightened legislators, whether justice and sound policy do not dictate that the necessary relief be granted.

DIRECT TRADE WITH EUROPE.

The Cotton Planters' Association of this State is making laudable efforts to establish direct trade with the continent of Europe. Howell Cobb, Esq., of Houston county, who was appointed Commissioner, by the Association, to visit Europe, and collect information upon this question, and to communicate to the authorities there, such information in reference to our commercial resources, &c., as might tend to stimulate them to action, has favored me with copies of his report, which I herewith transmit to the General Assembly. At the Fair soon to be held in Macon, many articles of European manufacture, which have been directly imported will be exhibited.

I would suggest to the General Assembly the propriety of spending a day at this exhibition. The presence of the legislative authority of Georgia on such an occasion, would give encouragement to the movement; and it is not doubted that valuable information upon the subject of direct trade might there be obtained.

I recommend the passage of a law similar to one enacted by the last Legislature of the State of Alabama, exempting from all State, county, or corporation tax, all goods, wares and merchandise, imported directly from any foreign country into this State, through any of the ports of the Southern States of the Union.

STATE LIBRARY.

I beg leave again to call the attention of the General Assembly, to the condition of our State Library. The library room, in the capitol, is entirely too small. Many valuable books and documents are kept in the basement rooms, because there is no place for them in the library. These basement rooms are damp in wet weather, and the books are constantly exposed to injury. A few thousand dollars would erect a good fire-proof building on the public grounds near the State House, in which the library could be safely kept and increased.

ASYLUMS.

The respective reports of the Principals in charge of the

Lunatic Asylum, the Academy for the Blind, and the Institution for the education of the Deaf and Dumb, are herewith transmitted, as far as received; which will give the General Assembly all the information in my possession in reference to the condition and management of those important Institutions; the erection and maintainance of which constitute a monument to the benevolence and charity of our people.

PENITENTIARY.

Much sickness has prevailed in the Penitentiary during the past summer; several of the officers, and a large portion of the convicts have been afflicted, and several have died. Gen. McConnell, the Principal Keeper, has been compelled to resign his position, on account of ill health. The salesman, Capt. Polk, is dead; and Mr. Williams, the Book Keeper, has been down with an attack of fever for the last two months. These afflictions have prevented the officers from making their usual report. Col. James A. Green, the present Principal Keeper, has been but a few days in charge of the Institution. The officers will, however, prepare the usual report as soon as possible; and will afford to the Committee on the Penitentiary, every facility in their power for a full investigation of its affairs.

No appropriation having been made at the last session of the legislature, for the completion of the new workshops and other necessary buildings connected with the Penitentiary, which were commenced under the act of 1858, I directed the Principal Keeper to have the buildings which were regarded indispensable, completed with convict labor; which has been done. The increased number of convicts rendered it absolutely necessary that the cell building and workshops be enlarged. The quantity of ground enclosed within the walls is too small for convenience; and it is believed that much of the sickness of the convicts, during the past summer, was caused, by the crowded condition of the Institution. I respectfully recommend the appropriation of twenty thousand dollars for the rebuilding of the walls, and the enlargement of the inclosure. We now have two hundred and forty-seven convicts; which is a larger number than ever was reported at any previous time.

It is to be regretted that crime increases with the increase of our population. This, however, has been the experience of other States; and we must not expect to be exempt from a common misfortune. As legislators, it becomes our duty to provide for the punishment of the criminal. It is not to be expected that this can be done without expense to the State. The punishment of crime has been a pecuniary burden to all civilised nations; but the well-

being of society, and the protection of life and property, imperatively demand the execution of the criminal laws, no matter what may be the cost or inconvenience to the State.

W. & A. RAILROAD.

It will be seen upon an examination of the Report of Dr. John W. Lewis, the able and faithful superintendent of the State Road, that the Road is in excellent condition, in every department; and that the net amount paid into the State Treasury, for the past fiscal year, is \$450,000. This sum has been paid into the Treasury, after deducting all expenditures and making all necessary repairs; and after paying \$22,940 of bonds and coupons of the funded debt of the Road, which fell due 1st January and July last; together with over ten thousand dollars of other old claims, which originated before the commencement of my term in office, and which had been for years in litigation. It affords me pleasure to add, that the officers of the Road, in every department of its management, have generally been diligent and attentive, and have acquitted themselves with much credit, during the past year.

The crop just matured in this and the adjoining States, is known to be a very short one; and great demand for bread is anticipated during the approaching season. With a view to affording all the relief in my power to our people, I shall exert all the influence I may possess, in favor of a through rate upon corn, wheat and other grain, from the West, which will bring them into this State at as low a rate of freight as the different Roads can afford to carry them. This can be effected only by concert of action among the authorities of all the Roads, over which the grain must pass; and it is to be hoped that none will be found wanting in liberality, in this emergency. It is true that these low through freights will diminish the amount of incomes from the Road which might otherwise be paid into the Treasury during the present fiscal year, but our people will be amply compensated by a cheaper supply of bread.

I have considered of the propriety of bringing grain, to be consumed in the State, over the Road, free of charge; or at a figure that would pay only the actual cost of transportation, without any profit. Were such a rate of freight adopted, I am satisfied the result would be, that the company roads, which form links in the chain from the West, would advance their rates of freight so as to keep the cost of transporting grain over the entire line, but little, if any, below what it now is. The result would be, that the price of grain would be nothing less to the consumer, while the State Road would lose her just proportion of the

through freights, which she receives under the present schedule. Suppose, for instance, it costs twenty-five cents, per bushel, to bring corn into this State, from the West, over the route by way of Baltimore, or by way of New York. The Roads forming the route by way of Chattanooga, will not be likely to bring it for much less; as the demand is here, and must be supplied; and they will do the carrying if they keep but a cent or two, in the bushel, below the other routes. Interest will prompt them to keep their freights as high as they can, without losing them by the competition with other roads. Should the State Road carry for nothing, in the case supposed, the other roads forming the line, would still charge twenty-three or four cents, on the bushel; which would be one or two cents less than the freight charged on the other routes. This would secure to them almost as complete a monopoly in the business of carrying corn, as if they carried it for half the sum. The State would lose her part of the freight, while company roads, mostly out of the State, would divide it among themselves; which would greatly increase their profits, lessen the incomes of our Road and result in no material benefit to consumers in the State.

Again, it would be impossible to determine what grain, passing over the road, was intended for consumption in this State, and what for other States, or for exportation to other countries. Speculators, buying to sell in other States, or for exportation, shipping over this route, might report their grain for Georgia consumption, and consign it to Atlanta, Macon, or Augusta, and take the benefits of through rates over the line; and of free transportation over the State Road. They could then arrange with the consignees at those points, to re-ship it to South Carolina, Alabama or other destination beyond the limits of this State, for consumption in which it was originally intended.

For these and other reasons, I am satisfied that the free transportation of grain, or other breadstuffs, over the State Road, would result mainly to the benefit of other railroads, and speculators, without material benefit to the consumer. I do not, therefore, consider that it would be wise to adopt that course; but think it best that the authorities of the State Road, act in concert with the authorities of the other roads, and do all in their power to procure, from the company roads, such rates of through freight as will afford grain to our people at as low a price as possible. If the State had the control of the other roads over which it must pass, the case would be very different, as she would then have the power in her own hands, to regulate the price on all; but it should be remembered, that the road over which the State has control, is only one of the shortest links in the chain.

I trust the cause of alarm on account of the scarcity of grain in the country, is much less than many have supposed. My opinion is, that abundant supplies can, and will be brought into the State, and sold at prices nearly, or quite as low as those paid during the past year. I shall contribute all in my power to this result; which I consider of vital importance to our people. I will cordially sanction any law which may be devised by the wisdom of the legislature, for the assistance of the afflicted, or more indigent and distressed portion of the people. As a tax-payer and a citizen, I will cheerfully contribute my part towards the assistance of those who are in distress and are unable to help themselves. I commend this subject to the careful consideration of the legislature.

BOUNDARY LINE.

By the act passed and assented to 16th December last, a straight line from the mouth of Flint River to Ellicott's mound, was recognized as the permanent boundary line between the States of Georgia and Florida; and Georgia bound herself to recognize the line then being run by the joint surveyors of the two States, as the true boundary line, provided Florida should by law do the same; and *provided* that, at the eastern terminus, it did "not depart exceeding one-fourth of a mile from Ellicott's mound." The surveyors report that the line, when run through, departed only about twenty-four feet from the mound; leaving the mound that distance on the south. It is said that Florida gave her assent to this proposition of Georgia, in reference to the first line run by the surveyors then in the field, with the qualification that the line should not run south of the line known as the McNeil line; and that Georgia is not, therefore, bound by the line as run, which did not precisely strike Ellicott's mound, at its eastern terminus. Admit the truth of this proposition, and it does not relieve Georgia from the agreement of her late Executive, which was ratified by our legislature of 1857, adopting the terminal points of the then recognized line, and providing for a re-survey between those points; which re-survey the State of Florida demanded, as she had a right to do, under the resolutions of our legislature.

The Act of 1859 does not repudiate either this agreement or the re-survey, but expressly recognizes both; and provides that, if the State of Florida shall fail to recognize the line then being run by the surveyors, as the true and permanent line, it will then be the duty of the surveyors to run and re-run the line, until they shall strike a straight line from the mouth of Flint River to Ellicott's mound: and that this line, thus designated and marked by them, is recognized and declared to be, the permanent boundary

line between the two States. Georgia is, therefore, fully committed to a straight line between the terminal points above mentioned, as the boundary line. The surveyors who run the late line, are gentlemen of high character in their profession. They report that the line was correctly run between the two points; and the fact that they departed from the object aimed at, only twenty-four feet, in running a line over one hundred and fifty-eight miles in length, satisfies my mind that they made a very near approximation to correctness. I regret that Georgia has lost a strip of territory heretofore claimed by her, and some valuable citizens residing upon it. This is no sufficient reason, however, why she should repudiate her solemn compact with Florida. According to the report of the surveyors, the variation of the line, as run from a straight line between the two terminal points agreed upon, is too immaterial to be made the subject of future controversy or misunderstanding between the two sister States; as it is only a strip of territory twenty-four feet wide, at its eastern end, converging to a point, at the western end. For the purpose of putting this controversy forever at rest, I recommend the passage of a joint resolution of the two Houses, recognizing the line, as run and marked by said surveyors, as the settled and permanent boundary line between the two States.

REDUCTION OF THE NUMBER OF LEGISLATORS.

For the reasons contained in my last annual message, I renew my recommendation for the reduction of the number of Senators and Representatives composing the General Assembly. I think the experience of each member has convinced him of the imperative necessity which exists for the change. To say nothing of the unnecessary expense of legislation, it is I think, generally admitted that both bodies are too large and unwieldy for practical efficiency.

INCONSIDERATE LEGISLATION.

I also renew my recommendation of last year, that hasty, inconsiderate, private, and class legislation, be generally avoided. The larger portion of the bills introduced, are usually disposed of within the last three or four days of the session; when members are anxious to leave for their homes, and business is dispatched in much haste, and often amid considerable confusion. In this state of things, many bills are passed which doubtless, would not command the sanction of the Houses, on more mature deliberation. In the confusion of the last night of the session, it frequently happens, that bills of much merit, which ought to become laws, and which have received the sanction of the two Houses, are lost or mislaid, and are never enrolled; consequently they

are not signed by the President of the Senate and Speaker of the House of Representatives, and can not receive the approval of the Governor.

STATE AID TO RAILROADS.

In my last annual message, I gave somewhat in detail, the reasons which influenced my judgment, in arriving at the conclusion that it would be, not only sound and safe, but wise policy on the part of the State, to lend her aid, by allowing the use of her credit, to such Railroad companies in the construction of their roads, as will accept it upon the terms, and subject to the liabilities and restrictions therein prescribed. My mind has undergone no change upon this question. Observation and more mature reflection have fully confirmed my previous convictions. I therefore, for the reasons given in said message, renew the recommendation therein contained.

A reference to the past history of *State Aid* to Railroads, in Georgia, is probably one of the strongest arguments that can be adduced in its favor, in future. The State, by payments from her Treasury and the use of her credit, built the Western & Atlantic Railroad; which has not only developed a rich section of her territory, and added many millions to her wealth, and thousands to her population, but is now paying into the Treasury over ten per cent. per annum, upon the whole sum paid out of the Treasury and raised by the sale of bonds, for the construction of the Road; besides affording the means of transporting into the State the supplies of grain at present absolutely necessary to the support of her people. Georgia has not, therefore, been injured by her first grant of State Aid in the construction of a Railroad. The second instance was that of the Milledgeville and Gordon Road, in which she took \$20,000 of stock. Upon this stock, she received interest at the rate of six per cent. per annum, while she owned it; and on the sixth day of June last, under the provisions of the Act of 1859, she sold it, at par, for cash, to the Central Railroad and Banking Company; with which it is now consolidated. The third and last case of direct aid by State appropriation, in the construction of a Railroad, is the Atlantic and Gulf Road, in which she bound herself to take \$1,000,000 of stock. This Road is being rapidly constructed; and I am informed that the State will have no difficulty in disposing of her stock in it, at par, so soon as the Road is completed. To do this, in my opinion, would be good policy; provided the money is again invested in the construction of such other Roads as will develop the resources of other sections of the State.

I again visited this Road in May last; and found that fifty-two miles of it had been completed since my visit one

year previous. There is probably no Road in the State so well built, upon which more rigid economy has been practiced. Its construction and management reflect great credit upon its able and energetic president and other officers. The road is developing a most interesting portion of our State; and it is believed that the increase in the value of the lands in the counties through which it passes, from the day when it was commenced to the day of its completion, will be more than the entire cost of its construction.

SABBATH DAY.

For the purpose of preventing, as far as possible, the desecration of the sabbath day in preparation for elections on the day previous to the time of holding them, at your last session, acts were passed changing the time of holding the elections for Governor, members of Congress, members of the General Assembly, Judges, Solicitors General, and all county officers except Ordinaries, from Monday to Wednesday. The Constitution fixes the election of Ordinaries on Monday. I recommend such change in the Constitution, as will enable the legislature to fix the time of holding this election also, on Wednesday, or other day of the week. The Act above referred to in reference to county officers, Judges and Solicitors General, provides that these elections "be held on the first Wednesday in January, in each and every year." The intention, doubtless, was that they be held "each and every year" when the term expires; and not that the election of the Judges, for instance, shall be annual, when the Constitution fixes the term of office at four years. I recommend such change in this statute, as will obviate any difficulty that may arise in its construction; otherwise it may become an embarrassing question, whether all county officers, whose terms are not fixed by the Constitution, are not to be elected annually.

The step taken at your last Session for the protection of the Sabbath against desecration, is highly commendable and praiseworthy. Another still more important remains to be taken. The Railroad Companies of this State, are in the habit of running their regular passenger trains, on the Sabbath day. This is generally excused on the supposed necessity of carrying the mails on that day. I do not think the excuse a sufficient one; nor do I think any great public necessity requires that mail service should be performed on the Sabbath day. The mail facilities which we enjoy on the other days of the week, are much greater than they were a few years since; and are, in my opinion, quite sufficient for all the actual necessities of the country. I have permitted the mail trains to run on the State Road, on the Sabbath day, in conformity to the general usage of

the Railroad Companies of this State, and in obedience to the requirements of a contract with the Post Office Department which was made prior to my term in office, and which continued in existence the greater portion of the time since I have been charged with the management of the Road. The practice of running trains on the Sabbath should, in my opinion, be prohibited by law. If it is wrong for the government of the State, to permit the trains to run on the State Road, on that day, it is equally wrong to allow them to run on any company road in the State. The General Assembly have full power to prevent this practice in future. I therefore recommend the enactment of a law, subjecting the Superintendent of each and every railroad in this State, to indictment for misdemeanor, in the Superior Court of the County in which the offence is committed; and on conviction, to fine or imprisonment, or both, at the discretion of the Court, for each and every engine, or train, which shall, with his knowledge or consent, be permitted to run upon the road under his control, on the Sabbath day. "Remember the Sabbath day to keep it holy," is addressed alike to the legislator and to the private citizen.

CODIFICATION OF THE LAWS.

The Commissioners appointed to codify the laws of this State, and to condense and simplify them, so as to bring them, as nearly as practicable, within the comprehension of all, after nearly two years of incessant labor, have completed the work; and they are now ready to submit the Code to the inspection of the General Assembly. The joint committee appointed by the Senate and House of Representatives, at the last Session, for the purpose of revising and fully examining said Code, have, I am informed, also performed the duty assigned them; and they will, no doubt, be ready to report at an early day. From the short examination I have been able to give the Code, which the Codifiers have kindly permitted me to inspect, I do not hesitate to say, that I highly approve of the arrangement and general plan of the work; and consider it a great improvement on our present Digests of the laws. My time has been so occupied since its completion, that it has not been in my power to examine the work in detail. Possibly, I and each of you, upon a critical examination, might find some things in the work to disapprove. Should this even be the case, however, it is much better that we adopt it, as a whole, and remedy by future legislation, any defects that may exist in it. I trust the Legislature may concur in this view of the subject, and adopt the Code at an early day. The limited time allowed for the Session would not be sufficient, should all other business be

neglected, for a revision and discussion of the entire Code, by the General Assembly. I think we may safely adopt it upon the recommendation of the able committee of the General Assembly, by whom it has been carefully and critically examined.

In the event of its adoption, the printing will be a very considerable job; and it will be necessary that a larger sum than usual be appropriated as a Printing Fund. Great accuracy in the execution of the work, will also be matter of the first importance. To secure this, it will, in my opinion, be necessary that the services of one of the Codifiers, who is perfectly familiar with the whole work, be obtained to supervise its publication. The Code as prepared has been deposited with me, and is subject to the order of the General Assembly.

For the privileges which we enjoy as a people, and for the boon of health and preservation of life, which have been vouchsafed to so great a proportion of the inhabitants of this State, during the past year, we have abundant reason to return thanks to the Almighty Ruler of the universe. May He in future avert from the people of our beloved State, and of our whole Country, the judgment merited by them; and continue them, as were our fathers, under His protection, and smile in mercy upon us all.

JOSEPH E. BROWN.

Mr. Cone offered the following resolution, which was taken up, read, and agreed to :

Resolved, That three hundred copies of the Governor's Message, and two hundred copies of the accompanying documents, be printed for the use of the Senate.

Leave of absence was granted Mr. Lamar, on account of sickness. Leave of absence was granted Mr. Walker for a few days on special business.

On motion of Mr. Cone, the Special Message of His Excellency the Governor was taken up and read as follows :

SPECIAL MESSAGE.

EXECUTIVE DEPARTMENT, }
MILLEDGEVILLE, GA., Nov. 7th, 1860. }

To the SENATE and HOUSE of REPRESENTATIVES:

Since the adjournment of your last Session, I received from the Governor of South Carolina a copy of the resolutions passed by the Legislature of that State, at its late Session, on the subject of our Federal Relations. By reference to these resolutions, copies of which are herewith transmitted, it will be seen that, that gallant State, impatient under the wrongs which she, in common with her Southern sisters, has suffered in the Confederacy, and ready, as she ever has been, to defend her constitutional rights, invites all the slaveholding States to meet in convention, "to concert measures for united action."

I also transmit copies of the resolutions passed by the Legislature of Mississippi in reference to the resolutions of South Carolina; by which it will be seen that she accepts the invitation. It is understood that the Legislature of Alabama has also made provision for having that State represented in the convention; while Virginia, Tennessee, Kentucky Texas, and probably other Southern States, have declined to accept the invitation.

In view of these facts, it is evident that the convention, should it meet, will be composed of delegates from but few of the Southern States. I think but little good could be expected to result from its deliberations, unless the Southern States were generally represented. I do not, therefore, recommend the appointment of delegates to represent this State. In declining to recommend the appointment of such delegates, I do not wish to be understood as expressing a willingness to acquiesce in the repeated aggressions of the non-slaveholding States.

In my opinion, the constitutional rights of the people of Georgia, and of the other slaveholding States, have been violated by some of the non-slaveholding States to an extent which would justify them, in the judgment of all civilized nations, in adopting any measures against such offending States, which, in their judgment, may be necessary for the restoration and future protection of all their rights.

At the time of the formation of the Constitution of the United States, the rights of the slaveholder were recognized in all the States. No political demagogue in the Northern States had then been able to ride into power by denouncing the people and the institutions of the Southern States; nor had the Northern pulpit been desecrated by abolition harangues. Since the passage of the law of Congress inhibiting the traffic, most of the illegal importations of Slaves have been made by Northern men, in Northern

ships. And it is a well known fact that the people of the Northern States, before the traffic was inhibited by Congress, imported a large proportion of the slaves brought from Africa, and sold them to the people of the Southern States, and received their money for them, which, with its proceeds, was, no doubt, invested in shipping, manufacturing, &c. This fact was fresh in the recollection of the Northern patriots who united with our fathers in forming the Constitution; and they did not hesitate to bind themselves and their posterity to respect our rights in slave property. I regret to say, however, that the conduct of many of their descendants has not been characterized by a like spirit of justice; since many, whose ancestors grew rich by the sale of slaves to the Southern people, are now ready to denounce the traffic by which the fortunes they enjoy were made, as immoral and inhuman, and the Southern people as little better than demons in human shape, because we continue to hold, as property, the offspring of the slaves purchased from their fathers. Numbers of them advocate the doctrine that our slaves should be set free among us, intermarry with our children, amalgamate with us, and be placed, in all respects, upon a basis of perfect equality with our free white population. For the purpose of promoting this object, and producing a general revolt of our slaves, a portion of their number, with fire and sword, have invaded Virginia, one of our Southern sister States, and slaughtered, in cold blood, some of her quiet, law-abiding citizens. It is true, these guilty criminals have suffered the penalty of the law upon the scaffold; but the justice of their punishment has been denied, and their names have been canonized by the abolition masses in the Northern States; and, even in the pulpit, they are frequently referred to as martyrs to the cause of liberty.

Should our citizens invade their territory, and burn down their factories built with money or the proceeds of money paid them by Virginia, Georgia, and Carolina planters for slaves, and butcher their citizens who hold property acquired by the sale of slaves or by the use of the productions of slave labor, how differently they would view the question of criminality! But the invader who should slay the Northern citizen who holds his fortune acquired by the proceeds of slave labor and the sale of slaves, would be no more guilty than those were who invaded a slave State and slaughtered her citizens because they held slaves; nor would his moral guilt be greater than that of the political leaders, who, by their doctrines and teachings, prompted and encouraged the invasion of Virginia. While the abolitionists deny our right to hold the slaves we purchased from them, they do not permit any one to question their right to their property purchased with the money we paid them for slaves. They claim the right to hold their property thus acquired, but deny our right to hold the slaves they sold us for it. They claim the right to carry the property which they received from us for slaves into the Territories, but deny our right to carry the slaves they gave us for it, into the same Territories.

This is not the spirit of the Northern patriots of 1776, with whom our fathers united in the Declaration of Independence; nor of those of 1787, with whom they entered into the compact of the Constitution. They were brave, noble, generous men; who required justice from all men, and were ready, in return, to ren-

der even-handed justice to all. At that time, Georgia and Massachusetts were alike sovereign and independent States. Each entered the family of States with her faith solemnly pledged to the other to perform all her constitutional obligations, and to respect all the constitutional rights of the other.

The Constitution of the United States is a compact in the nature of a treaty, between the sovereign States of this Union; by which each State made concessions to the others, for the sake of the Union, and each bound her faith solemnly to the others, to do, or to permit Congress to do, certain acts which it was agreed would promote the interest of the others, and to omit to do certain other acts which might be to the injury of the others. Each delegated to the General Government, under the qualifications contained in the Constitution of the United States, the exercise of a portion of its sovereign powers, for the good of the whole. Georgia, when she entered the compact with Massachusetts, conceded important commercial and other rights; which concessions, under the operation of our tariff laws, navigation laws, and otherwise, have inured greatly to the benefit of Massachusetts. In return for these concessions, Massachusetts solemnly contracted and agreed with Georgia, that she would, on her part, (among other things,) "deliver up" to Georgia her fugitive slaves escaping and going into Massachusetts, on *claim* of the party to whom the service or labor may be due. No one pretends that Georgia and the other Southern States would have entered into the compact and formed the Union, had Massachusetts and the other Northern States refused to give this express guaranty.

Not only the plain language of the Constitution itself, but the contemporaneous debates, and the early construction put upon the Constitution, of which we have evidence in the fact that no law was passed by Congress on the subject for several years after the Union was formed, all show conclusively that the understanding between the States was, that Massachusetts and the other Northern States, pledged their faith to Georgia and the other Southern States, not simply that the Federal Government, by its officers, might arrest fugitive slaves found in their limits and deliver them up to their owners, but that the *people* of Massachusetts and of each Northern State, by their officers, would *themselves* "deliver them up," just as they bound themselves to "deliver up" fugitives from justice.

The only difference in the language used in the Constitution, as applicable to the two classes of fugitives, is, that the criminal, or *fugitive from justice*, is to be delivered up *on demand* of the *Executive authority* of the State from which he fled, while the slave, or fugitive from labor, is to be delivered up *on claim* of the *party* to whom such service or labor may be due. The two clauses will be found in Item two, of Article four, of the Constitution of the United States. The clause in reference to fugitives from justice, is in these words: "A person charged in any State with treason, felony, or other crime, who shall flee from justice, and be found in another State, shall, *on demand* of the *Executive authority* of the State from which he fled, *be delivered up*, to be removed to the State having jurisdiction of the crime." The clause relating to fugitive slaves, is as follows: "No person held to service or labor in one State, *under the laws thereof*, escaping into another, shall, in consequence of *any law or regulation therein*,

be discharged from such service or labor, but shall *be delivered up on claim of the party* to whom such service or labor may be due." It may be here observed that the same language "*shall be delivered up*," is used in both cases; and that the Constitution does not, in either case, say that it shall be done by authority of Congress. I do not say that Congress may not have concurrent jurisdiction in these cases, and that a law may not be passed by Congress providing for the exercise of this power by the officers of the Federal Government in case a State refuses to do it, and thereby proves faithless to its constitutional obligations. As this may not be considered an open question, I do not propose to discuss it; but I do say that, under these provisions of the Constitution, the faith of each State is solemnly pledged to every other State in the Union, to exercise this power whenever a proper case may arise; and to *deliver up* the fugitives of either class found within her limits, on the *demand* or *claim* being made as provided by the Constitution. What State denies its obligation under the Constitution, to deliver up a criminal who is a fugitive from justice, on *demand* of the *Executive authority* of the State from which he fled? I am aware that discussions sometimes arise about the legal form of the *demand*, and that a faithless Executive may, under some shallow pretext or legal technicality, refuse to do his duty; but what State, by legislative authority, has ever yet denied the obligation? and what State, not controlled by abolition counsels, having no regard for plighted faith, will, for a moment, deny its constitutional obligation to *deliver up* a slave who is a fugitive from service, on *claim* of the party to whom such service may be due?

But how have several of the States of this Union kept their solemn compact with Georgia? As I should be compelled to extend this message to too great a length, were I to attempt to point out the faithless legislation of Maine, Vermont, New York, Michigan, and of other Northern States, upon this question, I will notice only the legislation of Massachusetts, as one of a class of States, which, under abolition rule, have shown themselves utterly regardless of their constitutional obligations and their solemn pledges of public faith.

Massachusetts has not only failed to enact laws providing for the delivery of fugitive slaves to their owners, but she has, in flagrant violation of every principle of good faith, enacted laws throwing every obstacle in her power in the way of the rendition to their owners, by the officers of the Federal Government, of fugitive slaves found within her limits.

By a statute of that State, approved March 24th, 1843, she commands the Judges and Justices of the Peace not to take cognizance of the Act of Congress, passed in 1793 for the delivery of fugitive slaves to their masters, and not to grant the certificates required in cases that may arise under the third section of that Act, to any person who claims any other person as a fugitive slave within her jurisdiction. This certificate, under the Act of Congress of 1793, is necessary to enable the owner to carry back his slave to the state or territory from which he fled; and it is by that Act made the duty of the Judge or Justice to act in such case, and to grant the certificate upon proper proof being made. She also enacts that no Sheriff, Deputy Sheriff, Coroner, Constable, or Jailor, or other officer of the Commonwealth, shall arrest or detain, or aid in the arrest or detention or imprisonment, in any

jail or other building belonging to the State, or to any county, city, or town thereof, of any person for the reason that he is claimed as a fugitive slave. And as a penalty, it is enacted that, any Justice of the Peace, Sheriff, Deputy Sheriff, Coroner, Constable, or Jailor, who shall offend against the provisions of this law, by in any way *acting*, directly or indirectly, *under the power conferred by the third section of the Act of Congress aforesaid*, shall forfeit a sum not exceeding \$1000, or be subject to imprisonment not exceeding one year in the county jail. This statute not only prohibits all officers of Massachusetts from arresting or detaining a fugitive slave, and denies to a citizen of Georgia the aid of the officers of that State in capturing his fugitive slave found there, but denies to him the use of any jail or building belonging to that State, for the purpose of detaining his slave till he can carry him away; and also makes it highly penal in any officer who *acts* and gives the certificate directed by the Act of Congress as above stated. This law of Massachusetts effectually nullifies, in that State, the Act of Congress passed for the protection of the constitutional rights of the people of Georgia and the other Southern States.

In 1855, the Legislature of Massachusetts passed, over the Executive veto, another statute, extending the provisions of the Act of 1843, to the Act of Congress known as the Fugitive Slave Law, passed in 1850; and which was intended to nullify that Act. This Act also extends to the fugitive slave the benefit of the writ of *habeas corpus*; and, on his application, makes it the duty of the court before which the *habeas corpus* is returnable, to order a trial by jury; which is not allowed by said statute in any case except in case of a fugitive slave; and also gives the court the power to admit him to bail. On the trial, the jury may return a general verdict; and they are to have the same discretion that juries have in the trial of criminal cases. If the jury disagree, the issue may be submitted to another jury, or *continued to the next term*, at the discretion of the court. The claimant is required to state in writing, with precision and certainty, the facts upon which he relies; and neither the claimant of the fugitive, nor any one interested in the alleged obligation to service or labor, nor the fugitive himself, shall be permitted to testify on the trial; and no *confessions, admissions, or declarations* of the fugitive, against himself, shall be given in evidence. Upon every question of fact involved in the issue, the burden of proof shall be on the claimant; and the facts necessary to be established, must be proved by the testimony of at least *two* credible witnesses, or other legal evidence equivalent thereto; and no *ex parte* deposition or affidavit shall be received in proof, *in behalf of the claimant*; (it might be in behalf of the negro); and no presumption shall arise in favor of the claimant, from any proof that the alleged *fugitive*, or any of his *ancestors*, had been actually held *as a slave*, without proof that such holding *was legal*. I presume this proof could hardly be made to the satisfaction of an abolition jury, who deny that slavery is in any case *legal*. A fine of not less than one, nor more than five thousand dollars, and imprisonment not less than one, nor more than five years, is imposed on any one who shall come into the Commonwealth, with intention of removing, or assisting in removing therefrom, any person in the peace thereof not held to service or labor, &c. Under the rules of evidence laid

down by the statute, with the delays allowed in the *habeas corpus* court, no citizen of Georgia, before a Massachusetts jury, would ever be likely to be able to establish his claim to his slave; and, therefore, the penalty imposed by the statute is to be, and doubtless was intended to be, inflicted upon every owner of a fugitive slave who enters the limits of Massachusetts to claim his property.

The next section of the statute, in addition to this penalty, gives the negro the right of action for damages against the person who thus entered the Commonwealth for the purpose of removing him therefrom. After providing for the delays, and prescribing the rules of evidence above mentioned, as though the Legislature feared that some owner of a slave might be able to overcome all these obstacles, and establish, even under all these disadvantages, his right to his property, they proceed to enact, that any officer of the Commonwealth, or any officer of any city, county, town, or district, who shall arrest, imprison, detain, or *return*, or aid in arresting, imprisoning, detaining, or *returning*, any person for the reason that he is claimed or *adjudged* to be a fugitive from service or labor, shall be punished by fine, not less than one, nor more than two thousand dollars, and by imprisonment in the State Prison, not less than one, nor more than two years. And if the volunteer militia of the State assist the owner, even after the slave has been *adjudged* to be his property, they are subject, under the statute, to a like penalty.

If, therefore, a citizen of Georgia follows his fugitive slave to Massachusetts, and after a long, expensive, and vexatious litigation, obtains in the proper court a judgment establishing his claim to his property, and starts to *return* home with him, and a mob arrests him while attempting to *return*, and takes his property from him by force, and any civil or military officer of that State comes to his relief, and assists him against the mob to *return* to this State with his property, such officer, for this act, is subject to be fined from one to two thousand dollars, and to be imprisoned in the State Prison, (Penitentiary,) from one to two years.

It is further made the duty of the Governor, by and with the advice and consent of the Council, to appoint in every county in the Commonwealth, one or more Commissioners, learned in the law, who are to be diligent and faithful in the defence of any person who is arrested or seized, or in danger of being arrested or seized, as a fugitive from service or labor, with power to employ other counsel for the defence; and the whole costs of the defence, including the attorney's fees, are to be paid out of the State Treasury. The statute then declares that no jail, or other place of confinement belonging to, or used by the Commonwealth, or any county therein, shall be used for the imprisonment of any one, who shall be accused or *convicted* of any offence created by either of the fugitive slave acts *passed by Congress*, or who may be accused or *convicted* of *resisting* any process, warrant or order issued under either of said acts, or of *rescuing*, or attempting to rescue, any person, arrested or detained under any of the provisions of either of said acts, or of any person arrested under execution for damages, for assisting a fugitive to escape from service or labor. Under this provision of the statute, if the leader of a mob resists a United States officer in the execution of a process issued under the authority of the Acts of Congress, for the arrest of a fugitive slave, and thereby enables the

slave to escape, or rescues and takes him from the officer after he has been arrested, and this daring violator of the law is indicted in the United States Court, and convicted and sentenced to prison, for having in the manner above mentioned forcibly taken from a citizen of this State his property; or if the citizen of Georgia sues him for damages in the United States Court, and recovers judgment, and has him arrested under execution, Massachusetts, in either case, denies the use of her jails for his imprisonment.

It is finally enacted, that no part of this statute shall apply to so much of the Act of Congress as relates to fugitives from justice: showing that the State recognizes her constitutional obligation in the one case, and repudiates it in the other.

By these statutes, the State of Massachusetts, not only nullifies the Acts of Congress passed for the protection of the constitutional rights of the people of Georgia, but holds out every inducement in her power to her citizens to violate them, to resist their legal process, and to rescue and take from us our fugitive slaves, after an *adjudication* under the Acts of Congress that they are our property.

When South Carolina, in 1832, made provision for the nullification of certain laws of Congress known as the Tariff Laws, by the operation of which her citizens were being plundered by the Government, to enrich the manufacturers of Massachusetts and other Northern States, the whole Union was convulsed with excitement, and the use of Federal bayonets was threatened to coerce her into obedience, if she attempted to carry out, what were denounced as her treasonable designs.

When Massachusetts, in 1843 and 1855, in palpable violation of her duty under the Constitution, passed acts effectually nullifying the laws of Congress enacted for the protection of the rights of the citizens of the Slave States no outpouring of indignation went forth, and no cry of treason to the Government was heard from the Northern States. But if a Southern man proposed that Massachusetts be coerced into obedience, or that a Southern State pass retaliatory laws, he was denounced as a disunionist, if not as a traitor. If nullification in South Carolina, for just cause, was treason against the Federal Government, what better is it in Massachusetts, without cause?

Probably the records of no State or nation in Christendom, are more blackened with the deep stain of disgrace, caused by a wilful violation of public faith, than this record of Massachusetts. If I use strong language, it is because I feel that the wrongs done our State require that I speak the truth without reservation. While the trade of Georgia is worth to Massachusetts, annually, hundreds of thousands, if not millions of dollars, under our tariff laws, navigation acts, and other advantages which Massachusetts derives from the Union, she retains upon her statute book these most extraordinary laws, for the purpose of robbing the citizens of Georgia of their property which may escape and be found within her limits. She is inviting our trade, to which many of her citizens look for their daily bread; but if our merchant goes there to trade, and carries with him his slave as a body servant, (which he has as much natural right to do as a citizen of Massachusetts has to carry his baggage with him when he travels through Georgia,) the laws of

that State take from him his property, and refuse to permit him to bring it with him when he returns to his home.

Suppose a similar treaty or compact existed between France and Great Britain, and the Government and subjects of France should, in open violation of the compact, rob the subjects of the Government of Great Britain, as the Government and citizens of Massachusetts do the citizens of Georgia, would the Government of Great Britain submit to it for a single month? No doubt, in such case, satisfaction would be promptly demanded of the Government of France; and in case of refusal, the Government of Great Britain would resort to immediate reprisals, or a prompt declaration of war. Should the freemen of Georgia be denied by her legislators the protection which the crowned heads of Europe never fail to afford to their subjects? If so, our Government is a failure, and our boasted freedom is but solemn mockery.

All writers on the subject of Government agree that the duties and obligations of the State or Government, and the citizen or subject, are reciprocal. The State has the right to require from each citizen, prompt obedience to her laws; to command his services in the field of battle against her enemies, whenever, in her judgment, it may be necessary to her protection, or the vindication of her honor; and to tax him to any extent which her necessities may at any time require. These requisitions, Georgia, as a sovereign State, has made, and may continue to make, on all her citizens. In return for the sums paid as taxes, and the services which each citizen renders the State, including obedience to all her laws, he is entitled to demand and receive, from the State, full and ample protection of his life, his liberty, his family, his reputation, and his property of every description.

It is the duty of Georgia, therefore, whenever one of her citizens, no matter how humble, is robbed of his property, or wrongfully deprived of his liberty, by any other State, to demand prompt and ample redress; and, if it be denied, to make the cause of her citizen her own cause; and, if need be, to exhaust her vast resources and her great energies in a determined effort to redress the wrong. If, therefore, the State of Massachusetts, in open violation of her constitutional obligations to Georgia, plunders a citizen of Georgia of his property, and refuses to make redress, Georgia violates every principle of good faith to her own citizen, if she refuses either to compensate him from her own treasury, or to compel Massachusetts to compensate him. A sovereign State should either protect her citizens or cease to claim their allegiance, and their obedience to her laws. But it may be asked, how Georgia can compel Massachusetts to compensate citizens of Georgia who have been robbed of their property by Massachusetts legislation. The law of nations furnishes a ready reply. The most distinguished writers on that subject lay down the doctrine, that a State whose citizens or subjects have been unjustly and illegally deprived of their property by another State or nation, which refuses to make reparation, may lawfully make *reprisals* by seizing the property of the offending State or nation, or of its citizens or subjects, wherever to be found; and, if justice is still refused, by confiscating and delivering to the injured party a sufficient amount of the property so seized, to indemnify him against the loss; and such seizure is declared to be *no just cause of war*. The law of nations does not, in such case, confine the

injured State to the seizure of the *public* property of the offending State, but authorizes the seizure of the property of any individual citizen or subject of the offending State. As between States, the law in such case, considers all the property of every citizen or subject as the property of the State to which he belongs, and subjects it all, or any part of it, to seizure for such injury, done by the State, as justifies reprisal. If an injured State makes reprisal, and seizes the property of a citizen or subject of the offending State, and delivers it to its own citizen or subject, in satisfaction for the injury done such citizen or subject, it is no violation of the right of private property; but the citizen or subject of the offending State, whose property has been seized, must look to his own State to compensate him for the loss which he has sustained on her account; and it is the duty of such State to make good the loss to its citizen or subject. It follows, therefore, in case a citizen of Georgia is deprived of his slave, or other property, by the unjust and unconstitutional legislation of Massachusetts, and Massachusetts refuses to make restitution on demand, that Georgia may, by the law of nations, justly seize an amount of the property belonging to that commonwealth, or any one of her citizens, wherever to be found, sufficient fully to indemnify her citizen, and retain it till restitution is made by Massachusetts, or, confiscate and deliver it to the injured citizen, in satisfaction for the damage sustained by him. This is not only the law of nations, but it is the law of nature; and is in strict conformity to the plainest principles of natural justice.

Nor does that provision of the Constitution of the United States which declares that no State shall grant letters of *marque and reprisal*, interfere with the right of a State to redress her own wrongs, or those of her citizens, as against a sister State of the Union, by reprisal, where she has no other remedy. The law of nations recognizes a clear distinction between reprisals made by a sovereign State, and letters of *marque and reprisal* granted by a sovereign State to an individual, or individuals, authorizing them to redress their own wrongs. The latter is prohibited by the Constitution, but it contains no inhibition against the former.

Georgia has it, therefore, in her power to compel Massachusetts or any other Northern State, to do justice to her citizens; and in this way to force her to repeal her obnoxious and offensive legislation on the subject of slavery, or to suffer the penalties due to her violation of good faith, and of that comity which should ever exist between all civilized States. I therefore earnestly recommend her representatives, by prompt legislation, to remove from her escutcheon every stain of inequality by which it is now tarnished. Let us meet unjust aggression and unconstitutional State legislation, with just retaliation. To this end, I recommend the enactment of a law authorizing the Governor of this State, in case any citizen of this State shall in future be deprived of his slave or other property, under the operation of the aggressive legislation of Massachusetts, to which I have referred, or of like legislation of any other State, or by the neglect of any such State to fulfil her constitutional obligations to Georgia, or her citizens, by delivering up to the owner, on demand, his slave which may have escaped into such State, to call out such military force as he may deem necessary for the purpose, and to seize such amount of the money or property of any citizen of such offending and

faithless State, which may be found within the limits of this State, as may be amply sufficient fully to indemnify such citizen of this State who may have been robbed of his property by the failure of such faithless State to discharge its constitutional obligations; and forthwith to notify the Governor of such State of the seizure; and, in case the Governor of such State shall fail, within thirty days from the time he receives such notice, to cause the property of our own citizen to be returned to him, or its full value paid to him, that it shall then be the duty of the Governor of this State to deliver such quantity of the property so seized, to the injured citizen of this State, as may be sufficient fully to indemnify him against all damages sustained by him.

Believing, furthermore, that our self-respect as a people should prompt us to withdraw from each of the Northern States of this Union, which, by its legislation, has refused to abide by its constitutional obligations to us, all the profits and advantages of our trade, I further recommend the enactment of such laws as will drive the manufactured articles of such States, as far as possible, from the markets of Georgia. If Georgia and all the other Southern States would, by proper legislation, carry out this policy, Massachusetts and each Northern State, which, by its legislation, has shown itself faithless to its obligations under the Constitution, would have to seek markets elsewhere; and if they should be compelled to send the products of their factories out of the Union for sale, they would be deprived of the vast profits they now obtain in the Union, on account of the advantages our tariff laws afford them, in our own markets, over all imported goods which pay tariff duties.

It may be denied that we have any constitutional right to pass laws in Georgia prohibiting the introduction of Massachusetts goods into Georgia. It is not necessary for my purpose that I controvert this proposition by showing that the constitutional obligations of Georgia to Massachusetts cease, whenever Massachusetts refuses to be bound by her constitutional obligations to Georgia; or, in other words, that Massachusetts ceases to be longer entitled to the benefits of the Union, when she refuses longer to submit to its burdens. It is sufficient to say, that, without the violation of any provision of the Constitution of the United States, Georgia has complete control of this matter, in the constitutional exercise of her sovereign power of taxation. While Georgia has no right, as against any State of the Union which acknowledges and observes its constitutional obligations to her, to pass any law prohibiting the importation of its goods into her territory, she has the undoubted right, so soon as the goods of any State are commingled with, and become the property of her own citizens, to tax them as she, in her sovereign capacity, may deem proper. She also has the right to discriminate between different articles or kinds of property, as she may deem proper. This right she has exercised from the earliest period of her history. She has at all times, in the assessment of taxes, discriminated between different kinds of property, and taxed one kind higher than another; while she has always exempted some kinds of property entirely from the burdens of taxation. Prior to the act of 1852, she taxed city and town property, and merchandize, higher than she did land and negroes,—while horses, cattle, hogs, household furniture, and many other

articles, were not taxed at all. Even now she taxes bank capital, foreign insurance companies, lotteries, &c., higher than she does other property; and no tax is imposed upon libraries, household furniture under the value of \$300, &c. &c. I apprehend, therefore, that no one will venture, at this time, to question her right to discriminate as she may deem proper, in the assessment of her taxes.

Whether she will discriminate between goods manufactured in other States, so as to give her friends an advantage over her enemies, is a mere question of policy. Feeling that she should do this, and believing that she has it in her power by the adoption of this course, in a great measure, to drive the goods of her enemies out of her territory, I earnestly recommend the enactment of such laws as will accomplish the object. To this end, I would suggest the passage of an act, to take effect on the first day of January next, but not to operate upon any goods, wares or merchandize purchased before that time, (so that our merchants may be forewarned of its existence before they incur any liability on account of its violation,) which shall require every tax payer in this State to swear, in addition to the oath now prescribed, whether he has, during the year for which he is giving in his taxes, been the vender of any goods, wares, or merchandize of any description. Should he answer this question in the affirmative, then to be further required to state on oath, *to the best of his knowledge and belief*, the aggregate value of all goods, wares, and merchandize, of any character, sold by him, during said period, which were manufactured in, or brought into this State from Massachusetts, Vermont, Michigan, Maine, Rhode Island, Connecticut, New York, and Wisconsin. (I believe these are the States which have most palpably violated the Constitution by their legislation and their action; though the legislation of some others is by no means justifiable, and may become the subject of future action, on our part;) and he should be required to pay, in addition to his tax on other property a tax of twenty-five per cent. upon the amount of such goods, wares, and merchandize, so sold by him. The effect of this law would be, to discriminate in favor of the manufactured articles of some other Northern States, whose legislation, though not by any means free from censure, is not altogether as offensive to us as that of the States above mentioned; and in favor also of goods manufactured abroad, and which were not imported through the faithless States above named. I think it best that we select for the present only such States as are most in the wrong, till we have shown all, the effect of this legislation; should others then refuse to repeal their offensive legislation, the statute can easily and justly be extended to them. Were such a law of force in Georgia, our merchants in the market, would refuse to purchase the goods upon which they would have to pay the extra tax; and in their stead, would buy such as are not subject to it.

If each Southern State will enact a law similar to the one above recommended, the effect will be, in a high degree, injurious to the manufacturing interests of the above named States. So soon as the manufacturers in those States, see that they are deprived of the benefit of the Southern trade, or that they cannot enjoy it on equal terms with their neighbors in other Northern States, their interest will dictate to them the propriety of uniting, and requiring

their operatives and those under their control, to unite, at the ballot box, with the large class of law-abiding, conservative, constitutional men, in their respective States, who have ever been ready to do us justice, and abide, in good faith, by all their constitutional obligations. The accumulation of strength which the constitutional men in those States would in this way gain, it is believed, would place them in the majority; and enable them to hurl from place and power, the abolition leaders who have so long controlled, and by their counsels, disgraced their respective States.

In the enactment of such a law, the power should be given to the Governor of this State, to suspend, by proclamation, the operation of the act, as against any one of said States, whenever he may be officially informed, that such State has repealed its unconstitutional and offensive legislation, and has returned to the observance of its constitutional obligations; or to embrace in the disability, by proclamation, any other State enacting similar laws.

It may be said that this tax law, if passed, would be frequently evaded, and that goods made in Massachusetts, would often be labelled, and pass in the market, as goods made in New Jersey. This would doubtless be so in some cases; as the manufacturer, who would vote for a law, to fasten upon his State, the shame of a violation of her plighted faith, would be guilty of any other act of bad faith; but it would not be possible for the manufacturers in those States, to make the fraud a general one; as it would be the interest of the manufacturers, and importers of New Jersey, and such other States as might have the advantage in Southern trade, under the law, to expose, as much as possible, the frauds attempted to be practiced by the manufacturer or importer of Massachusetts, or those of other States discriminated against. It would therefore seldom be a difficult task, for the Georgia merchant, to form a correct conclusion as to the character of the goods purchased by him; and as the law would require him to swear *to the best of his knowledge and belief*, he would not likely be wanting in vigilance; but would require such evidence, in making his purchases, as would satisfy his mind, that the goods purchased, were not subject to the tax. The fact that the law might sometimes be evaded, is no sufficient reason why it should not be enacted. How often are the revenue laws of the United States, and of other governments, violated or evaded; and yet what civilized nation for that reason would do without them. Even the laws against murder, and all the other felonies known to our penal code, are often evaded; but who would say that they should not, on that account, have been enacted. They are often executed; and they stand upon our statute book as a terror to evil doers. So would a law of the character proposed be in a great degree effective; and would place the merchandise of those States under the ban of Southern proscription, and compel them to resort to fraudulent contrivances, before they could introduce it among us. This would vindicate our honor, and punish their perfidy. It would compel them, as long as they remained faithless to the compact, to lose our trade, or pay a large portion of our taxes; as the merchant having to pay twenty-five per cent tax upon Massachusetts or New York goods, would not buy them unless he could purchase them twenty-five per cent cheaper.

han he could get the goods of some other State not subject o the tax.

Thus far, I have recommended the mildest measures, which in ny judgment will redress our wrongs, and cause the repeal of the offensive and unjust legislation above referred to.

Should the enactments herein suggested be deemed insufficient o the accomplishment of the object, I would then recommend, as n additional remedy, that the penal code, and all other laws of his State which protect the lives, liberties and property of the itizens of other States while in this State, be repealed, so far as hey now protect the citizens of each Free State in this Union, vch has upon its statute book, any act or acts of the character, nd intended to accomplish the object, of the Massachusetts legis- ation to which I have directed your attention; and that the itizens of Massachusetts, and of each Free State in this Union, guilty of like bad faith to the people of Georgia, be declared *without the protection* of the laws of this State, until the States to vch they respectively belong, shall have repealed their uncon- titutional and obnoxious legislation, and returned to the obser- vance of their constitutional pledges. In resorting to this severe hough just measure of retaliation, we should act only on the de- ensive. It would therefore be necessary to make it the duty of he Governor of this State to suspend, by proclamation, the re- ealing act above recommended, and to restore the citizens of ach offending State to the protection of the laws of this State, so oon as he shall be officially informed by the Governor of such State, that the laws of such State, of the character above men- ioned, which now rob the citizens of this State of their property, r imprison them for attempting to reclaim it, have been repealed y such offending State. This would be a measure of defensive etaliation, and not of aggression, on the part of Georgia.

In addition to the influence which this enactment would have in ausing the repeal of those unconstitutional and offensive laws, it ould have the further effect of ridding our State, in the meantime, n a summary way, of such abolition emissaries as are now pass- ng among our people; who, under the pretence of book selling, eddling, lecturing, preaching, &c., are scattering inflammatory locuments among us, and attempting to incite our slaves to re- olt, and to murder our women and children; and are applying, nder cover of the darkness of night, the incendiary's torch to our gin houses, dwelling houses, villages, and towns

No one can deny the power of our State to enact such penal ode, and to make such exceptions thereto, as in the judgment of er people may be necessary to their safety and protection; or o repeal her present penal code, or any part thereof, when such epeal may be necessary to the prosperity of her own citizens, or o a just retaliation upon her enemies. Nor can any other gov- ernment or power on earth, compel her to punish any act as a rime, which she does not choose to consider as a crime against er peace and dignity as a sovereign State. If, therefore, she hould refuse to declare criminal, or to permit her courts to punish s a crime, any injury done to a citizen of Massachusetts, till she hall have repealed her laws passed for the purpose of robbing he people of Georgia of their property which she has pledged er faith to deliver to them on demand, neither the Federal Gov- ernment, nor any State government, has a right to interfere, or to

dictate to her what shall be the provisions of her penal code. While Georgia is a sovereign State, she will dictate her own penal laws, and determine for herself what she will punish as a crime against her peace and dignity, and what she will omit to punish.

It may be objected, that such an enactment would deny to the citizens of Massachusetts, or other States whose citizens may be deprived of the protection of our laws, the enjoyment of "all privileges and immunities of citizens of the several States." Should this be the case, the fault would not be ours. We were not the aggressors. The laws of those States were first enacted, and were intended to deprive our citizens, not only of those "privileges and immunities" under the Constitution, but of their rights of property, and of their liberties as freemen. Massachusetts, as above shown, even denies the use of her prisons for the punishment of him who is *convicted* of having forcibly taken from a citizen of Georgia his property, in open violation of the Constitution of the United States and the laws of Congress. Who then will deny our right, to remove from our statute book such laws as protect her citizens, till she repeals her statutes enacted for the purpose of denying the protection of her laws to us? When she repeals her unconstitutional and unfriendly laws against us, we should again extend to her citizens the protection of our laws. Until she does this, we should retaliate upon the robber, by refusing to protect him while he is plundering us, or to punish those who slay him while he is applying the torch to our dwellings.

In my opinion, the time for bold, decided action has arrived; and he is unworthy the confidence of the people of Georgia, who will refuse to vindicate her honor, at any cost, and to maintain her constitutional rights, at every hazard.

It is believed the legislation above recommended, would tend to strengthen, rather than weaken, the ties of union between the States generally; as it would do much to destroy the sectional character of the controversy, now pending between the free and the slave States; and to narrow the issue to a contest between individual States, and not between whole sections of the Union. The acknowledgment of the fact that one State has the power to protect herself, against the unconstitutional and aggressive legislation of another, without the aid of the other sister States, and without disturbing her relations with them, not only destroys geographical lines of division, drawn across the Union, and localizes the controversy between individual States, but makes each State pay a more just regard to the rights of every other State, in view of the fact, that she cannot look for protection in the wrong, from her other sister States of her own section of the Union, whose sense of justice as well as interest under the proposed legislation, would prompt them to a condemnation of her bad faith, and her unconstitutional enactments. I am no disunionist *per se*; and would delight to contemplate our future glory as a nation, could I have the assurance that the Union, upon the basis of the Constitution, would be as durable as the hills and valleys embraced within the vast territorial limits of its jurisdiction. This cannot be the case, however, unless each section of the Union accords to every other section, the full measure of its constitutional rights.

I earnestly invoke the attention of the people of Georgia to

this subject; and trust the General Assembly may take prompt action for the protection of their rights, and the vindication of their honor. In my opinion the times demand the legislation which I now recommend; and the people, should it be denied them, will, and ought to rise in their might, and at the ballot-box demand its enactment. Should these retaliatory laws be enacted while I have the honor to be the Executive of Georgia, I shall be prompt and decided in their enforcement. The present is a most appropriate time for this legislation. The Black Republican party, organized upon a sectional issue, and standing upon a platform of avowed hostility to our constitutional rights, have probably triumphed over us, by the election of their candidates for the Presidency and Vice-Presidency. Should such be the case, this dominant party in the Northern section of the Union, among whom fanaticism rules the hour, and mob law too often maintains its ascendancy, will consider themselves as victors, and the people of the South as vanquished. In that event, the adoption of other safeguards, may become necessary to the maintenance of the rights and honor of the slaveholding States; as degradation, insult and injury, will probably be the only reward, which Georgia and the other slave States, can then expect to receive, for continued association with them in the Union, and subjection to their foul domination.

So soon as the Government shall have passed into Black Republican hands, a portion of our citizens, must, if possible, be bribed into treachery to their own section, by the allurements of office; or a hungry swarm of abolition emissaries, must be imported among us as office-holders, to eat out our substance, insult us with their arrogance, corrupt our slaves, and engender discontent among them; while they flood the country with inflammatory abolition documents; and do all in their power, to create in the South, a state of things which must ultimately terminate in a war of extermination between the white and the black races.

Whether eight millions of freemen in the Southern States will consent to permit this state of things to exist among them, and will bow the neck in willing subjection to the yoke, is a question to be determined by them in their sovereign capacity.

Whether the sovereign will of the people of the Southern States, shall, in this crisis, be ascertained by a general Convention of all the States, hereafter to be called, and all shall act together in concert, or whether each State shall decide for herself, without conference with the others, are questions upon which a diversity of opinion may exist.

I entertain no doubt of the right of each State, to decide and act for herself. The Union is a compact between the sovereign States of which it is composed. Each State in the Union is in point of sovereignty the equal of every other; and neither is dependent upon another for any of the attributes of sovereignty. So long as all the States, abide in good faith by their Constitutional engagements to each other, and the compact is not violated, no State can withdraw from the Union without being guilty of bad faith to the others. If, however, the compact is violated by the refusal of part of the contracting parties to abide by it, and submit to its burdens, while they receive the benefits arising from it; the other parties are no longer bound by it, but

may declare it a nullity, and refuse to abide by it on their part. It is an essential part of the law of contracts, that both parties are bound, or neither is bound, and if one violates the contract, the other is no longer bound.

But I may be asked who is to judge of the violation of the contract? I answer that each sovereign State, from the very nature of the case, must judge and decide for herself. There is no common arbitor between them. Each being sovereign, acknowledges no higher power on earth. The Federal Government is but the limited agent of all the States, and has no right to assume to dictate to the principals, from which it derives all the power it possesses, nor to sit in judgment upon the conduct of the creator, whose creature it is, and by whose consent alone, it exists for a single day. It is not to be presumed that a State will secede from the Union without just cause. Of the sufficiency of the cause each sovereign State must judge for herself. When her decision is made, no one has a right to reverse the judgment, because no higher power exists to which an appeal can be taken. The right of a State peaceably to secede from the Union, when, in the judgment of her people, the compacts of the Constitution have been violated, can only be denied by those who deny the sovereignty of the States.

I am aware that some have attempted to analogise the right of a portion of the States of the Union to secede from it, even for just cause, to the right of the Colonies to secede from the British Government; and as the colonies possessed only the right of revolution, it is argued that the sovereign States of the Union possess no other right. There is no just analogy between the two cases. The Colonies, prior to the Revolution, were not sovereign. They were subjects of the British Government, created by it, and belonged to it. They had never even claimed to be the equals of the British Crown, nor had that Government ever recognised them as such, or formed any compact with them as sovereign powers. When, therefore, they withdrew from the Government of Great Britain, it was a case of rebellion on the part of the subject, against the power of the sovereign—in other words, it was revolution—and upon their success depended their exemption, from the penalties of treason, to the Government whose subjects (not equals) they were, till they had established their right of sovereignty by force of arms. But the States of the Union are not the subjects of the Federal Government, were not created by it, and do not belong to it. They created it; from them it derives its powers, to them it is responsible, and when it abuses the trust reposed in it, they, as equal sovereigns, have a right to resume the powers respectively delegated to it by them. Upon my mind there is no doubt, that Georgia or any other State in the Union, has a perfect right, to secede from it, whenever the people in their sovereign capacity, decide for themselves, that the compact has been violated by the other States. And neither the Federal nor a State Government, has any more right to make war upon her, for the exercise of this act of sovereignty, than they have to make war upon her for the exercise of any other one of her sovereign powers. Should Georgia determine, while I exercise the Executive power, to secede from the Union, on account of the violation of the com-

pact by other States, I should deny the right of any other State or Government to coerce her to return to it. In such case the allegiance of her citizens would be due to her alone, and each would be entitled to the protection of her flag. *This they should have.* And if any other government should interfere, and assume jurisdiction over them, and take the lives of any of them upon a charge of treason to its authority, for following the flag of Georgia; I would retaliate promptly, by seizing and hanging upon the nearest tree, two of the subjects of such Government for each citizen of Georgia whose life should be thus illegally taken. I need only add that I regard the question of separate State action, or of united action upon the part of all the Southern States, as a mere question of policy, and not as a question of right. As the cause of the Southern States is a common cause, and as the aggressions upon their rights are common, I should think it wise that their action be common.

If the fifteen Southern States of the Union should meet in Convention, and determine to secede from it, there would be no war, no bloodshed. So many of the Northern people are dependent upon our Cotton, and our Trade, for employment; and for the necessaries, as well as the luxuries of life, that they could neither afford to fight us, nor to stand by and see others do it. Nor could the Government of Great Britain afford to witness an invasion of the Southern States. We are planters, a large portion of the people of England are manufacturers. We come in competition with none of their interests. Our interests and theirs are mutual and reciprocal. The people of the Northern States are the rivals of the people of England in manufacturing and shipping. Both are dependent upon us for Cotton. Four millions of the people of Great Britain look for the means of their support, to the Cotton crop of the Southern States of this Union. An invasion of our soil, which would cut off a single crop of Cotton, would shake the pillars of the English throne, and the cry of "bread or blood" would at once control the action of the Government, the Army, and the Navy of Great Britain in our favor.

I am aware that the opinion is entertained by many, that the Southern States, in the event of a dissolution of the Union, would be in a worse condition than they now are, in reference to the recapture of their fugitive slaves; as it is said large numbers would escape, and we would have no process by which we could recover them from any portion of the Northern Confederacy. This is a great error. In case of a separation of the two sections, and the formation of new governments, the people of the Northern Confederacy, would no longer feel that they were connected with slavery in the South, any more than they now are in Cuba or Brazil. Most of the Northern States have already enacted stringent laws, against the importation of free negroes among them. They would not desire such a population in their midst, and would be willing to spend money to rid themselves of it. They would need our Cotton, as they now do, and would find our trade still indispensable to their prosperity. We should then have the power to regulate our own revenue laws, tariffs, &c., and to discriminate against them, and in favor of European States, if we choose to do so, by imposing export duties on Cotton purchased by them, and import duties on man-

manufactured articles sold by them to our people. Thus they could not endure and prosper. The result would be that they would, if required, enter into a treaty with us to bring back our fugitive slaves, and deliver them to us at the line, if we would agree to a favorable Commercial treaty with them, by which they could buy our Cotton and sell us their goods upon equal terms with other nations. A similar treaty, for the like reason, could be made with the English Government, by which Canada would no longer be the harbour of fugitive slaves.

The sentiment, no doubt, prevails in the Northern States, that the people of the South would be in great danger from their slaves, in case we should attempt to separate from the Northern States, and to form an independent Government. Insurrection and revolt are already attempted to be held in terror over us. I do not pretend to deny that Northern spies among us, might be able occasionally, to incite small numbers of slaves in different localities to revolt, and murder families of innocent women and children; which would oblige us promptly to execute the slaves who should have departed from the path of duty, under the deceptive influence of abolition incendiaries. These instances would, however, be rare. Our slaves are usually under the eye of their masters or overseers. Few of them can read or write. They are not permitted to travel on our Railroads, or other public conveyance, without the consent of those having the control of them. They have no mail facilities, except such as their owners allow them to have, and no means of communication with each other at a distance. They are entirely unarmed, and unskilled in the use of arms. A general revolt would therefore be impossible. But the more important fact, which is well known in Southern society is, that nine tenths of them are truly and devotedly attached, to their masters and mistresses, and would shed in their defence, the last drop of their blood. They feel and recognize their inferiority as a race, and their dependence upon their owners for their protection and support; whose smile of approbation constitutes their highest enjoyment. They have not been accustomed to claim or exercise political rights, and few of them have any ambition beyond their present comfort and enjoyment. In case of a plot or conspiracy, the secret could be communicated to but few till some would learn it, who would immediately communicate it to their masters, and put them upon their guard. This would lead to an immediate seizure and execution of a few of their leaders. We have therefore but little cause of apprehension from a rebellion of our slaves.

Let us for a moment contrast our difficulties with *our laborers*, in case of division, with the difficulties which the northern people would have with *their laborers*.

Many of the Northern masters, or employers, if they prefer the term, are now in possession of large fortunes, which they have accumulated by the use of the strong arms of white laborers among them, who have labored and toiled and dropped the briny sweat, for weeks, and months, and years, in their service, and have received from them in return a meagre compensation; which in health, has barely enabled them to support themselves, in a simple style, denying to their families most of the com-

forts of life; and in sickness has often left them in destitution, and actual want of the necessities of life.

While those who receive the benefits of the labor of others, are living in stately mansions, amid ease and luxury, and eating sumptuously every day, many of the laborers whose toil brought these comforts, must spend their days in unpleasant dwellings, doomed to perpetual obscurity and denied even in sickness, the comforts of life; produced by their own hard labor.

But who are these honest sturdy laborers, who are kept in a position of inferiority, to those who assume control over them? They are *white men*. They belong to no inferior race. They are the sons of freemen, and they have a right to be free, many of them are descended from revolutionary sires, who shed their blood to secure *liberty* to their posterity. These men have political rights inherited from their ancestors, which are inalienable. They have the right to bear arms, and thousands of them know how to use them. They can read and write and correspond with each other about the wrongs inflicted upon them.

Should a separation take place, and the Northern States take up arms against the people of the South, and attempt to incite our slaves to insurrection, thousands of these northern *white* laborers, who have suffered so much injustice, at the hands of those, who have wrung from them the hard earnings of the sweat of their brows; might feel at liberty to require satisfaction for past injustice, and to assert the principle recognized in the South, that the true aristocracy, is not an aristocracy of wealth, but of *color* and of *conduct*. While their sense of justice might prompt them to assist the South against the aggressions of those in the North, who have denied equality to them, as well as to the people of the South.

Among us the poor white laborer is respected as an equal. His family is treated with kindness, consideration and respect. He does not belong to the menial class. The negro is in no sense of the term his equal. He feels and knows this. He belongs to the only true aristocracy the race of *white men*. He blacks no masters boots, and bows the knee to no one save God alone. He receives higher wages for his labor, than does the laborer of any other portion of the world, and he raises up his children, with the knowledge, that they belong to no inferior cast; but that the highest members of the society in which he lives, will, if their conduct is good, respect and treat them as equals.

These men know, that in the event of the abolition of slavery, they would be greater sufferers than the rich, who would be able to protect themselves. They will, therefore, never permit the slaves of the South to be set free among them, come in competition with their labor, associate with them and their children as equals—be allowed to testify in our Courts against them—sit on juries with them, march to the ballot box by their sides, and participate in the choice of their rulers—claim social equality with them—and ask the hands of their children in marriage. That the ultimate design of the Black Republican party, is, to bring about this state of things, in the Southern States, and that its triumphs, if submitted to by us, will at no very distant period, lead to the consummation of these results, is, I think, quite evident, to the mind of every cool, dispassion-

ate thinker, who has examined this question, in the light of all the surrounding circumstances.

If the madness and folly of the people of the Northern States shall drive us of the South to a separation from them, we have within ourselves, all the elements of wealth, power, and national greatness, to an extent possessed probably by no other people on the face of the earth. With a vast and fertile territory, possessed of every natural advantage, bestowed by a kind Providence upon the most favored land, and with almost a complete monopoly of the Cotton culture of the world, if we were true to ourselves, our power would be invincible, and our prosperity unbounded.

If it is ascertained that the Black Republicans have triumphed over us, I recommend the call of a Convention of the people of the State at an early day; and I will cordially unite with the General Assembly in any action, which, in their judgment, may be necessary to the protection of the rights and the preservation of the liberties of the people of Georgia, against the further aggressions of an enemy, which, when flushed with victory, will be insolent in the hour of triumph.

For the purpose of putting this State in a defensive condition as fast as possible, and preparing for an emergency, which must be met sooner or later, I recommend that the sum of one million of dollars be immediately appropriated, as a military fund for the ensuing year; and that prompt provision be made for raising such portion of the money as may not be in the Treasury, as fast as the public necessities may require its expenditure. "Millions for defence, but not a cent for tribute," should be the future motto of the Southern States.

To every demand for further concession, or compromise of our rights, we should reply, "The argument is exhausted," and we now "stand by our arms."

JOSEPH E. BROWN.

Mr. Harris of Worth offered the following resolution, which was taken up, read, and agreed to :

Resolved, That five thousand copies of the Message of His Excellency the Governor on the subject of our Federal Relations, be printed for the use of the Senate.

Mr. King offered the following resolution, which was taken up, read, and agreed to :

Resolved, By the Senate and House of Representatives that the Special Message of His Excellency the Governor be referred to a joint select committee of seven members of the Senate and members of the House, and that said committee report by bill or otherwise.

Mr. Jones moved that the Special Message be referred to the Committee on the State of the Republic ; which motion was lost.

In pursuance of which the President appointed Messrs. King, McGehee, Fulton, Lawton, Bartlett, Johnson of Clayton, and Hill of Troup, as that committee on the part of the Senate.

On motion, the same was ordered to be transmitted forthwith to the House.

Mr. Jordan introduced a bill to be entitled an Act to repeal an Act entitled an Act to change the time of holding the elections of County Officers, Judges of the Superior Courts, Attorneys and Solicitors General (except Ordinaries), in this State, assented to 16th December, 1859, which was read the first time.

Mr. Cone offered the following resolution, which was read :

Resolved, That both branches of the Legislature will convene in the Representative Hall on next, at eleven o'clock A. M., to proceed to elect a United States Senator for six years from and after the fourth day of March, 1861.

Leave of absence was granted Mr Kirby for a few days on special business.

On motion, the Senate then adjourned until ten o'clock to-morrow morning.

FRIDAY, NOVEMBER 9TH. 1860, }

10 O'CLOCK A. M. }

The Senate met according to adjournment

Mr. Jones moved to reconsider so much of the journal of

yesterday as relates to the adoption of a resolution printing five thousand copies of the Special Message of His Excellency the Governor.

Upon agreeing to which motion the yeas and nays were recorded, and were yeas 38, nays 74.

Those who voted in the affirmative were Messrs.

Allred, Ashley, Billups, Boggs, Bond, Carter of Echols, Chester, Cloud, Cook, Duncan, Ferrill, Flewellen, Hill of Sumter, Hill of Troup, Hines, Hitchcock, Holt, Ivey, Jamison, Jones, Maddox, Maples, McKee, Oliver, Reid of Morgan, Reid of Taliaferro, Rushin, Seward, Sheppard, Smith of Hancock, Snell, Tarver, Trippe, Ward, Ware, Wells, Whitehurst, Williams of Terrell.

Those who voted in the negative were Messrs.

Alexander, Barclay, Barrow, Batts, Briscoe, Brown, Burnett, Byars, Cannon, Carter of Elbert, Collier, Cooper, Cone, Crittenden, Davison, Davis, Delaperriere, Denham, Donaldson, Evans, Fulton, Gartrell, Gaston, Glover, Green, Grice, Griffin of Brooks, Griffin of Twiggs, Hackett, Hart, Harris of Dougherty, Harris of Worth, Harvin, Head, Hightower, Hill of Wilkes, Hyde, Johnson of Clayton, Johnson of Cass, Jordan, King, Lawton, Lockhart, Lott, Merrill, McDuffie, McGehee, Moore of Laurens, Paine, Poole, Pruitt, Quillian, Ritch, Robinson, Roberts, Sawyer, Shelton, Sirman, Stowers, Sturges, Summerour, Sweat, Tillman, Turner, Usry, Wallace, Wellborn, White, Whitworth, Williams of Berrien, Williams of Rabun, Wilson, Wynne, Young.

So the motion to reconsider did not prevail.

Leave of absence was granted Mr. Shellnut for a few days on special business.

Mr. White offered the following resolution :

Be it resolved by the Senate, that this branch of the General Assembly open each morning by prayer during the session.

On motion to suspend the rules for the purpose of taking up the same, the yeas and nays were recorded, and were yeas 76, nays 37.

Those who voted in the affirmative were Messrs.

Alexander, Allred, Barclay, Barrow, Batts, Billups, Boggs, Briscoe, Burnett, Carter of Elbert, Cloud, Collier, Cooper, Cook, Cone, Evans, Ferrill, Flewellen, Fulton, Gartrell, Glover, Green, Griffin of Twiggs, Hackett, Hart, Harris of Worth, Harvin, Head, Hightower, Hill of Troup,

Hill of Wilkes, Hines, Holt, Ivey, Jamison, Johnson of Clayton, Johnson of Cass, Jordan, King, Lawton, Lenoir, Lockhart, Maddox, McDuffie, McGehee, McLeod, McRae, Oliver, Paine, Poole, Pintup, Pruitt, Quillian, Reid of Morgan, Ritch, Robinson, Rushin, Sawyer, Sheppard, Sirman, Smith of Hancock, Stowers, Sturges, Summerour, Sweat, Tillman, Turner, Trippe, Wallace, Ward, Wells, White, Whitehurst, Williams of Rabun, Wilson, Wynne.

Those who voted in the negative were Messrs.

Ashley, Bond, Brown, Byars, Carter of Echols, Chester, Crittenden, Davison, Davis, Delaperriere, Denham, Donaldson, Duncan, Gaston, Grice, Griffin of Brooks, Harris of Dougherty, Hill of Sumter, Hitchcock, Hyde, Jones, Lott, Maples, Merrill, Moore of Laurens, Reid of Taliaferro, Roberts, Seward, Shelton, Snell, Tarver, Usry, Ware, Whitworth, Williams of Berrien, Williams of Terrell, Young.

So the motion to suspend the rules prevailed.

Mr. Cannon moved to amend the foregoing resolution with the following: "That morning, afternoon, and evening sessions open and close with prayer."

Mr. Ward offered the following resolution as a substitute, which was adopted:

Resolved, That the President request the pastors of the several churches in Milledgeville alternately to open the morning sessions of the Senate with prayer

The resolution as amended was then agreed to.

The following message was received from the House of Representatives by Mr. Hillyer, their Clerk:

Mr. President—I am directed by the House of Representatives to inform the Senate that they have concurred in a resolution of the Senate bringing on the election of a Judge of the Supreme Court, on Friday, the 9th inst., to fill the vacancy occasioned by the resignation of the Hon. Linton Stephens.

Mr. Johnson of Cass offered the following resolution, which was read:

Resolved, That so much of the Governor's Message as relates to the establishment of an Armory and Maj. M. A. Cooper's proposition be referred to a special committee of five.

Mr. McGehee introduced a bill to protect the rights the people of Georgia; which was read the first time.

On motion of Mr. Printup, one hundred and fifty copies of the same were ordered to be printed for the use of the Senate.

Mr. King introduced a bill to aid the citizens of Georgia in the construction of railroads in this State, upon the conditions and limitations herein specified; which was read the first time.

On motion, one hundred and fifty copies of the same were ordered to be printed for the use of the Senate.

Mr. Harris of Dougherty, from the Committee on Enrollment, reports as duly enrolled and ready for the signature of the President of the Senate, a resolution bringing on the election for one Judge of the Supreme Court, to fill the vacancy occasioned by the resignation of the Hon. Linton Stephens, this day at eleven o'clock.

Mr. Smith offered the following resolution, which was taken up, read, and agreed to:

Resolved, That the Senator from Wilkinson county be added to the Committee on Agriculture, and the Senator from Jackson to the Committee on the Military

On motion of Mr. Cone, Messrs. Reid of Morgan and Harris of Worth were added to the Committee on the Military.

Mr. Johnson of Clayton offered the following resolution, which was read:

Resolved, That the editors and reporters be furnished with seats upon the floor of the Senate.

Mr. Seward moved to suspend the rules for the purpose of taking up a resolution previously offered by him relative to the unfinished business of last session; which motion was lost.

Mr. Hart introduced a bill to amend an act entitled an act to simplify and curtail pleadings at law; which was read the first time.

Mr. Briscoe introduced a bill to authorize the Inferior Court of Baldwin county to subscribe for stock in the Milledgeville Railroad Company, to levy and collect a special tax, and issue bonds for the payment of said stock; which was read the first time.

Mr. Glover introduced a bill to empower Elizabeth Lowther of Jones county to appoint Americus O. B. Mitchel, of Barbour county, Alabama, and Tennett Lomax, of Montgomery county, or either of them, executors, and to entitle them to have letters testamentary granted; which was read the first time.

Mr. Collier introduced a bill to prohibit the running of locomotives and cars on the Sabbath day, on the several railroads in this State, and provide for the punishment of the violation of the same; which was read the first time.

Mr. Printup introduced a bill to amend an act entitled an act to change the time of holding the elections for County Officers, Judges of the Superior Courts, Attorneys and Solicitors General (except Ordinaries), in this State, passed December 16, 1859; which was read the first time.

Mr. Hart introduced a bill to change the time of holding the Superior Courts in the county of Bryan; which was read the first time.

Mr. Wallace introduced a bill to amend an act to change and simplify the practice and pleadings in this State, and for other purposes; which was read the first time.

Also, a bill to change the law in regard to taking depositions in Justices' courts, and for other purposes; which was read the first time.

Mr. Ashley introduced a bill to incorporate the town of Valdosta; which was read the first time.

Mr. Johnson of Cass introduced a bill to authorize the legal representatives of intestates and testators of other States to sue in this State; which was read the first time.

Mr. Duncan introduced a bill for legalizing the holding of Quitman and Chattahoochee Superior Courts; which was read the first time.

The following message was received from His Excellency the Governor, by Mr. Waters, his Secretary, to wit:

Mr. President—The Governor has approved and signed a resolution bringing on the election of a Judge of the Supreme Court on Friday, the 9th inst., at 11 o'clock, to fill the vacancy occasioned by the resignation of the Hon. Linton Stephens.

Mr. Harris of Worth introduced a bill to authorize and prescribe the mode of controverting the answers to certioraries, and to try issues made thereupon, and for other purposes; which was read the first time.

Mr. Duncan introduced a bill to add the county of Chattahoochee to the Chattahoochee circuit; which was read the first time.

Mr. Oliver introduced a bill to repeal an act entitled an act to levy a tax on all goods peddled in this State, or sales by sample or otherwise by itinerant drummers or other persons, and for other purposes, assented to December 15th, 1859; which was read the first time.

The following message was received from the House of Representatives, by Mr. Hillyer, their Clerk:

Mr. President—I am directed by the House of Representatives to inform the Senate that they are now ready to receive the Senate in their Hall, and proceed to the election of a Judge of the Supreme Court, to fill the vacancy created by the resignation of the Hon. Linton Stephens.

On motion of Mr. Printup, the Senate repaired to the Representative Hall, and after being seated, the General Assembly proceeded to the election of a Judge of the Supreme Court, to fill the vacancy occasioned by the resignation of the Hon. Linton Stephens, when, on receiving and counting out the ballots, it appeared that the Hon. Charles J. Jenkins, of the county of Richmond, was unanimously elected.

The Senate then, on motion, returned to their Chamber.

On motion of Mr. Harris of Worth, the resolution bringing on the election for United States Senator was taken up.

Mr. Hart moved to amend the same by adding the words "and a State Treasurer;" which was agreed to.

On motion of Mr. Spalding, the resolution was laid on the table for the present.

On motion of Mr. Briscoe, the Senate adjourned until three o'clock P. M.

THREE O'CLOCK P. M.

The Senate met according to adjournment.

Mr. Lawton presented the following communication and memorial, which was read:

SAVANNAH, November 8th, 1860,
Thursday Night.

To the Hon. A. R. Lawton, Julian Hartridge, and John Sereven.

Gentlemen—Enclosed you will find resolutions passed to-night, unanimously, by the largest and most enthusiastic meeting ever held in this city. You will also find enclosed the call for said meeting, signed by our oldest and most influential citizens. Our people are in earnest, and mean what is expressed in the resolutions. The meeting was opened with prayer by the Rev. Dr. Axson. The resolutions introduced by Capt. Francis S. Bartow, and eloquently supported by the Hon. Wm. Law.

The crowd was so great that one half of the people could

not enter the Hall, and the meeting adjourned to Monument Square. In all the vast assemblage there was not one dissenting voice.

JNO. W. ANDERSON, Chairman.

CHARLTON HINES WAY, Secretary

We, the citizens of the county of Chatham, ignoring all past party names and issues, cordially unite in the following resolutions :

1st. Resolved, That the election of Abraham Lincoln and Hannibal Hamlin to the Presidency and Vice Presidency of the United States ought not to be submitted to.

2d. Resolved, That we request the Legislature to announce this opinion by resolution at the earliest practicable moment, to communicate it to our Senators and Representatives in Congress, and to co-operate with the Governor in calling a convention of the people to determine on the mode and manner of redress.

3d. Resolved, That we respectfully recommend to the Legislature to take into their immediate consideration the passage of such laws as will be likely to alleviate any unusual embarrassment of the commercial interests of the State consequent upon the present political emergency.

4th. Resolved, That we respectfully suggest to the Legislature to take immediate steps to organize and arm the forces of the State.

5th. Resolved, That copies of the foregoing resolutions be sent without delay to our Senator and Representatives in the General Assembly, who are hereby respectfully requested to lay them before the Houses of which they are respectively members.

Mr. Trippe introduced a bill to change the manner of electing or appointing the Judges of the Superior Courts of this State ; which was read the first time.

Mr. Printup introduced a bill to give the Clerks of the Superior Courts time to make out copies of bills in equity, and time to Sheriffs to serve the same ; which was read the first time.

The following message was received from the House of Representatives, by Mr. Hillyer, their Clerk :

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Mr. President—I am directed by the House of Representatives to inform the Senate that they have concurred in a resolution of the Senate, referring the Special Message of the Governor to a select committee, with an amendment, in which they ask the concurrence of the Senate ; and they have appointed as such committee on the part of the House, Messrs. Hartridge, Gibson of Richmond, Lester, Smith of

Towns, Lewis of Hancock, Dixon, Fannin, Colvard, Tatum, Delony, Ely, Ector, Thrasher.

On motion, the resolution was taken up, and the amendment of the Senate concurred in.

Leave of absence was granted Mr. Ritch on account of sickness.

Leave of absence was granted Mr. Sturges for a few days on special business.

The following message was received from the House of Representatives by Mr. Hillyer, their Clerk, to-wit :

Mr. President—I am directed by the House of Representatives to inform the Senate that the death of their late Speaker, Hon. Isaiah T. Irvin, has this day been officially announced in that body, and that in view of that melancholy event they have passed the following resolutions, to-wit :

Resolved, That the House of Representatives has received with profound sensibility, intelligence of the death of the late Hon. Isaiah T. Irvin.

Resolved, That in his death the State has sustained incalculable loss in her public councils ; this House has been deprived of the services of a presiding officer, rarely equalled but never surpassed, in efficiency, fairness, and courtesy ; society has lost one of its most useful members, and the cause of morality and religion a faithful defender.

Resolved, That the House will pay proper respect to the memory of the honored dead, and manifest their sympathy with his bereaved family, by wearing the usual badge of mourning for thirty days, and by adjourning until ten o'clock on Monday morning, by respectfully requesting His Excellency the Governor and the State House Officers to wear the usual badge of mourning thirty days, and suspend the business of their respective departments for to-day, and by draping the Speaker's desk in mourning for and during the space of ten days.

Resolved, That these resolutions be spread upon the Journal of this House, and that a copy of them be forwarded by the Clerk to the family of the deceased.

Resolved, That these resolutions be transmitted forthwith to the Senate.

Mr. Paine offered the following resolution, which was taken up, read, and agreed to :

Resolved, That the resolutions of the House of Representatives just communicated to the Senate, are expressive of the feelings of the members of the Senate in view of the melancholy event therein referred to, and that we will wear the usual badge of mourning for thirty days, and that this

body do now adjourn until 10 o'clock Monday morning next.

The President then adjourned the Senate until 10 o'clock Monday morning next.

MONDAY, NOVEMBER 12TH, 1860, }
10 O'CLOCK, A. M. }

Senate met according to adjournment, and was opened with prayer by Rev Mr. Flynn.

Leave of absence was granted Mr. Harris of Dougherty for a few days on special business.

The President announced the following appointments of new Senators on the Standing Committees:

On the State of the Republic—Mr. Gaston.
On Public Education and Free Schools—Mr. Ferrill.
On Agriculture—Mr. Duncan.
On Banks—Mr. Davison.
On Lunatic Asylum—Mr. Ashley.

On motion of Mr. Cooper, one hundred and fifty copies of the Standing Committees were ordered to be printed for the use of the Senate.

On motion of Mr. Johnson of Cass, the following resolution was taken up, to-wit:

Resolved, That so much of the Governor's Message as relates to the establishment of an Armory, and Major M. A. Cooper's proposition, be referred to a special committee of five.

Mr. Collier moved to amend the same by adding after the word "special" the word "joint," and after the word "five" the words "of the Senate and five of the House;" which was adopted.

The resolution as amended was then agreed to.

In pursuance of which the President appointed Messrs. Johnson of Cass, Billups, Tracy, Lawton, and Ward, as that Committee on the part of the Senate.

Mr. Seward presented a memorial of citizens of Thomas county, relative to the boundary line between Georgia and Florida.

On motion of Mr. Seward, the same was referred to a select committee of three.

In pursuance of which the President appointed Messrs. Seward, Ashley, and Cone, as that committee.

Mr. Seward offered the following resolution, which was taken up, read, and agreed to :

Resolved further, That the Executive furnish such information in regard to all surveys, either partial or complete, that may have been made under Federal or State authority, involving the controverted boundary line aforesaid, of file in the Executive Department.

The following message was received from the House of Representatives, by Mr. Hillyer, their Clerk :

Mr. President—I am directed by the House of Representatives to inform the Senate that they have passed a resolution bringing on the election of a State Treasurer on Monday morning, 12th inst., at 11 o'clock A. M., in which they ask the concurrence of the Senate.

On motion of Mr. Cone, the following resolution of the House was taken up :

Resolved, By the Senate and House of Representatives of the General Assembly of the State of Georgia, that the General Assembly will proceed to the election of a Treasurer of the State of Georgia, at eleven o'clock on Monday morning next.

Mr. Cone moved to amend the same by striking out the word "next," and insert the words "the 12th inst.," in lieu thereof; which was agreed to.

The resolution as amended was then agreed to.

Mr. Hyde introduced a bill to change the line between Union and Fannin counties; which was read the first time.

Mr. Holt introduced a bill to ratify and make valid the ordinances and resolutions of the Mayor and Council of the city of Columbus, in reference to any subscription heretofore made, or which may hereafter be made, by said Mayor and Council, to the stock of the Opelika and Talladega Railroad Company; which was read the first time.

Mr. Summerour introduced a bill to lay out and incorporate the Dawson Turnpike Road Company; which was read the first time.

Mr. Flewellen introduced a bill to alter and change the name of the Thomaston and Barnesville Railroad Company, to that of Upson County Railroad Company, to incorporate the same, and for other purposes; which was read the first time.

Also, a bill to legalize the executorship of Thomas W. Anderson, and for other purposes; which was read the first time.

Mr. Hitchcock introduced a bill to exempt from levy and

sale the life-time estate of widows; which was read the first time.

Mr. Cloud introduced a bill to amend the thirty-first section of the attachment law of this State, approved 4th March, 1856; which was read the first time.

Leave of absence was granted Mr. Hill of Sumter for the balance of the day.

Mr. Harris of Worth offered the following resolution, which was taken up, read, and agreed to:

Resolved, That the Senate Chamber be tendered to the Military Convention this evening, for the purpose of holding their Convention and transaction of their business.

Mr. Quillian introduced a bill to incorporate the Wood Hydraulic Hose Gold Mining Company; which was read the first time.

Mr. Hill of Troup introduced a bill to authorize and require the Governor of the State of Georgia to call a Convention of the people of Georgia, and for the purposes therein named; which was read the first time.

On motion of Mr. Holt, two hundred copies of the same were ordered to be printed for the use of the Senate.

Mr. Hill of Troup offered the following resolution, which was read:

Resolved, By the General Assembly of Georgia, that all resolutions, bills, and other papers on the subject of our Federal relations, introduced and read in either branch of the General Assembly, be and the same are hereby referred to the delegate Convention of the people of Georgia, and that all such resolutions, bills, and papers as shall hereafter be introduced, be read, and on being read be considered as referred, without further motion, to said Convention.

The following message was received from the House of Representatives, by Mr. Hillyer, their Clerk:

Mr. President—I am directed by the House of Representatives to inform the Senate that they have concurred in the amendment of the Senate to the resolution of the House bringing on the election of State Treasurer on Monday, the 12th inst.

Mr. Paine, from the Committee on Enrollment, reports as duly enrolled, signed by the Speaker of the House of Representatives, and ready for the signature of the President of the Senate, a joint resolution bringing on the election of a State Treasurer on Monday, the 12th inst., at 11 o'clock A. M., to fill the vacancy occasioned by the resignation of the Hon. Jno. B. Trippe.

Mr. Snell introduced a bill to repeal so much of an act entitled an act to levy a tax on all goods peddled in this State, or sales by sample or otherwise, by itinerant drummers or other persons, as prohibits the peddling on tobacco without license in this State, approved December 15th, 1859; which was read the first time.

Mr. Moore of Whitfield introduced a bill to provide for the trial of causes in the Supreme Courts of this State, where the Judges presiding in such Court shall be incompetent to try the same under existing laws; which was read the first time.

Mr. Holt, chairman of the committee appointed at the last session to examine the Codification of the Laws of Georgia, made the following report, to-wit

To the General Assembly of the State of Georgia:

The committee appointed under the resolution of the last session of this General Assembly, (assented to 16th December, 1859.) to meet the commissioners appointed under "an act to provide for the Codification of the Laws of Georgia," (approved 9th December, 1858,) at the Capitol, in Milledgeville, at least twenty days before the meeting of this present session of the General Assembly, for the purpose of revising and fully examining said Code, respectfully report:

That they have discharged the duty devolved upon them by said resolution, and the following as the result of their investigations:

Referring to said act of 9th of December, 1858, your committee find that it was made the duty of the commissioners thereby appointed "to prepare for the people of Georgia a Code which shall, as near as practicable, embrace in a condensed form the Laws of Georgia, whether derived from the Common Law, the Constitution of the State, the decisions of the Supreme Court, or the statutes of England, in force in this State."

With this large and extensive chart of the powers and duties of said commissioners before your committee, and as directory as well to the compilation as in the revision and examination of said Code, they caused each and every section thereof to be fully and carefully read before them, and they present as their unanimous conclusion that said commissioners have kept themselves fully and carefully within the pale of the powers and duties conferred.

The mingling together in condensed and intelligible form the common and statute laws, constitutional provisions, and court decisions, and thus to place the whole body of all the law within the reach of the people, was in the opinion of your committee the great end aimed at by your Legislature, and this end has been kept in view, and to every practicable,

and attainable extent, ably and efficiently accomplished by the Commissioners, a Code so entirely extensive in its aims and purposes as to define in intelligible form and language out of the body of the great system of the common law, existing time, whereof, the memory of man runneth, not to the contrary, mischiefs and rights, duties and obligations, and to present in intimate and close connection therewith, Constitution and Statutory provisions, and the Judicial exposition, and construction thereof, for their redress and enforcement, is of rare, if not in the code, now presented, of original occurrence.

Your committee intend to say, that it has been so extensively attempted, that the citizen should be referred to the whole embodiment of the law in a single volume, to be exactly informed what are his rights in any and every exigency, and what his remedies for their enforcement and protection; and it need hardly be added, that to the large degree in which the offered Code accomplishes this great desideratum, it must and will commend itself to public approval and acceptance.

As your committee have said, in the discharge of the duties devolved upon them, they caused each and every section of the Code to be read before them, and at the option or upon the suggestion of any one of its members, its sections were discussed, canvassed and amended, enlarged and restricted, by a vote of the majority; and your committee will add, that the Codifiers themselves being present, with scarce a single exception, approved, acquiesced in and adopted all such suggestions, alterations, modifications, enlargements or restrictions, as your committee thought proper to make.

Beyond what has been said, the limits of this report will not authorize your committee to enlarge.

As the "result of their investigations and in full view of the delicate responsibilities thereby incurred, (especially if their further suggestions shall receive legislative approval,) they do not hesitate with entire unanimity to report, that the Commissioners have ably, faithfully, and efficiently discharged the arduous duties imposed them, and with like unanimity to recommend the Legislative sanction, and adoption of that which they present, as the Code of Georgia. In the further anxious discharge of their duties, the thoughts of your committee have been necessarily turned to consider the mode in, and by which, this can be done.

The importance of a knowledge of the contents of the Code to a satisfactory and well considered vote for its adoption, by each member of the Legislature, has on the one hand pressed strongly upon us, while on the other the utter impossibility of canvassing and considering within any reasonable period of time, the four thousand paragraphs em-

braced therein, has presented an obstacle, almost, if not absolutely insurmountable.

The mere reading of the manuscript to inform and enlighten the Legislative mind as to its provisions, would occupy more than half the time limited by the Constitution to a Legislative session. Such reading accompanied by the unquestioned power to amend and discuss according to the varied opinions and policy of over three hundred members, it need hardly be said, would occupy, to say the very least more than all the time thus limited.

In the opinion then, of your committee to read without amendment and discussion would be an idle and useless waste of time and money; and to read, amend, and discuss, impracticable.

Entertaining these opinions, and seeking the best solution of these difficulties, your committee were naturally led to refer to the precedents set and acted upon by our sister States, under similar circumstances. So far as such precedents will sanction and justify the recommendation to which they are led, they have been pleased to find that in almost every State, revised Codes have been adopted by a simple Legislative Act, such as your committee offer with this report, and upon the action and report of a committee, leaving other consideration, amendments, and discussion, of course to the power and wisdom of the Legislature after publication.

With the exception of Virginia, your committee believe that the action of the States has been uniformly such as they now recommend. In that State the other policy was pursued. Each section of its Code was subjected to a thorough revision, and separate adoption by its whole Legislative Department. The result was that its session was extended to a period over six months, and of course at a very great cost to the State. Your committee from a partial and cursory examination of the Code of that State will be permitted to add, in no censorious spirit, that the benefit of this course is not manifest in the results. Other Codes adopted upon the plan which your committee feel constrained to suggest, compare most favorably with this Code of Virginia.

Your committee believe that they could give satisfactory reasons for the opinion entertained, that the labor, time, and money which might be expended in a Legislative reading, revision, and examination, of the Code, might be really detrimental, rather than beneficial to its efficiency, harmony, and entire plan and structure; but the limits of a report forbid all such attempts.

If the Code now presented were a new system of Jurisprudence, or had the Commissioners attempted to graft upon our system any new features extracted from others

and unharmonious with our own, or even if alterations in a well defined public policy had been attempted, your committee would have paused, hesitated to recommend the mode of adoption suggested, without at least calling the special attention of the Legislature to such new and essential charges. But at an early stage of our revision and examination, the Codifiers announced the leading principle by which they had attempted to guide their labors, and your committee kept the same prominent in all the amendments and changes made at their suggestion. This principle was, to attempt no change or alteration in any well defined rule of law which had received Legislative sanction or judicial exposition, and to add no principle or policy which had received the condemnation of the former, or was antagonistic to the settled decisions of the latter.

The prominent and leading power of change exercised in construction and revision, has been to cut and unraval Gordian Knots, resulting from conflicting decisions of the Courts, to reconcile actual and apparently discordant Legislation, harmonizing all conflicts to what seemed to be settled and favored public policy. To remedy existing defects by wise and harmonious provisions, and to supply omissions which the practice and experience of the Courts had discovered and made manifest in existing Legislation. In short the great end and aim, has been to reconcile, harmonize, render consistent, the body of the law, so as to give shape and order, system, and efficiency to the sometimes crude, and often ill expressed sovereign will of the State.

A settled conviction on the mind of your committee that the Codifiers have to a degree as complete, and perfect as might reasonably be expected, accomplished, these and like ends, has won for the Code as an entirety their cordial and unanimous approval. Your Committee will not conceal that some particular sections and provisions have not met this unanimous concurrence. When differences arose careful and anxious consideration and discussion followed, and minorities did not hesitate to yield; all being satisfied that as a whole the Code was entitled to and should receive, as it does receive their unanimous and unqualified approbation and recommendation.

Your Committee fully believe that such would be the result of any examination and revision by the Legislative Department. Your committee do not deem it inappropriate to their duties to add that the proper printing and publication of the Code, if adopted, becomes a subject of much interest and importance. Its plan and structure accompanies this report. A reference thereto will render most manifest the necessity in the publication of rigidly adhering to this plan. The numerical order of its paragraphs, and its references in one title, section, or para-

graph, to another, must be preserved. In the use and value of the Code its Index becomes of the highest importance.

These and like considerations and reflections lead your Committee to suggest that none other than those who constructed the Code, who devised its plan and are familiar with its details and manuscript can so well superintend its publication and prepare its index.

Your Committee have further to add that it is provided in the Code itself, that it shall not take effect until the 1st of October, 1861, thus giving time for its publication. It is further provided, and your Committee think wisely, to meet any insufficiency of the Code, that all questions not embraced or provided for therein, shall be decided and settled by existing Laws, and that the Code does not interfere with, or in any manner abrogate or repeal local legislation.

If in the views thus presented by your Committee they shall have the concurrence of the Legislature, they present as part of this report, a bill to adopt the Code, and a bill to provide for its publication.

All which is respectfully submitted,

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| HINES HOLT, | } Committee on part of the Senate. |
| DAN'L. S. PRINTUP, | |
| W W PAINE. | |
| GEO. N. LESTER, | } Committee on part of House. |
| ISHAM S. FANNIN, | |
| W G. DELONEY, | |
| M. W LEWIS. | |

Mr. Holt introduced "a bill to approve adopt and make of force in the State of Georgia, a revised Code of Laws, prepared under the direction and by authority of the General Assembly thereof, and for other purposes therewith connected"; which was read the first time.

The following message was received from the House of Representatives by Hr. Hillyer, their Clerk :

Mr. President: I am directed by the House of Representatives to inform the Senate that they are now ready to receive them, for the purpose of proceeding with the election of State Treasurer.

On motion of Mr. Harris, of Worth, the Senate repaired to the Representative Hall, and after being seated the General Assembly proceeded to the election of a Treasurer, when on receiving and counting out the ballots it appeared that John Jones, Esq., of the county of Baldwin, was duly elected to fill the vacancy occasioned by the resignation of John B. Trippe.

The Senate then, on motion, returned to their Chamber.

Mr. Hart offered the following resolution, which was read :

Whereas, Our present Militia system is in a deplorable state of disorganization, and apprehending that this cause of Military defence may be needed, and that at a time when the State of Georgia may feel too secure by not apprehending danger, and whereas, from the present aspect of our affairs, knowing there is a bitter, deadly and hostile feeling brewing and growing up, and has been so for years, by the Northern or freer States of this Confederacy, towards our domestic institutions, and whereas, from what transpired in the last Congress, we have undeniable proof, that the Representatives from most of the Northern States, disregarding all the restraints and safeguards which our forefathers entered into when that solemn compact, the Constitution of our common country, was framed, in refusing to carry out some of its plainest provisions, by State legislation and other overt acts, which we look upon as dangerous and hostile, and whereas, the State of Georgia may be called upon, and that at no distant day, to defend by force of arms all she holds dear, home, fireside and institutions. Therefore, be it

Resolved, That his Excellency, the Governor be instructed to issue his circular directed to the Justices of the Inferior Court of each and every county in the State, to urge upon our young men the necessity and importance of enrolling and forming themselves into Military Companies as minute men, so as to be prepared to act, at any emergency that may occur, and so soon as they become regularly organized and officered, the commanding officer of each company so organized, by sending up a certified list of the number of men his Company is composed of, to his Excellency the Governor, he have the necessary arms issued for the proper arming of the same.

The following bills of the Senate were taken up and severally read the second time, and referred to the Committee of the Whole:

A bill to prohibit the running of locomotives and cars on the several Railroads in this State on the Sabbath day, and to provide for the punishment of the violation of the same. Also,

A bill to authorise the Inferior Court of Baldwin county to subscribe for stock in the Milledgeville Railroad Company, to levy and collect a special tax, and issue bonds for the payment of said stock. Also,

A bill to amend an act entitled an act to change the time of holding the elections for county officers, Judges of the Superior Courts, Attorneys and Solicitors' General, (except Ordinaries,) in this State, passed Dec. 16th, 1859. Also,

A bill to incorporate the town of Valdosta. Also,

A bill to change the law in regard to taking depositions in Justices Courts, and for other purposes. Also,

A bill to add the county of Chattahoochee to the Chattahoochee Circuit. Also,

A bill for legalizing the holding of Quitman and Chattahoochee Superior Courts. Also,

A bill to authorise the legal representatives of intestates, and testators of other States to sue in this State. Also,

A bill to give to Clerks of Superior Courts time to make out copies of bills in equity, and time to Sheriffs to serve the same. Also,

A bill to repeal an act to change the time of holding the election of county officers, Judges of the Superior Courts, Attorneys and Solicitors' General, (except Ordinaries,) in this State, assented to 16th December, 1859. Also,

A bill to amend an act entitled an act to simplify and curtail pleadings at law. Also,

A bill to empower Mrs. Elizabeth Lowther, a widow, of Jones county, to appoint Americus C. B. Mitchell, of Barbour county, Alabama, and Tennent Lomax, of Montgomery county, or either of them, her executors, and to entitle them to have letters testamentary granted. Also,

A bill to change the time of holding the Superior Courts in the county of Bryan.

The following bills were taken up and severally read the second time, and referred to the Committee on the Judiciary :

A bill to amend an act to change and simplify the practice and pleadings in this State, to provide for the service of writs of scire facias in certain cases, and to regulate the admission of testimony in certain cases. Also,

A bill to change the manner of electing and appointing the Judges of the Superior Courts of this State. Also,

A bill to repeal an act entitled an act to levy a tax on all goods peddled in this State, or sales by samples or otherwise, by itinerant drummers or other persons, and for other purposes, assented to Dec. 15th, 1859. Also,

A bill to authorise and prescribe the mode of controverting the answers to certioraris, and to try issues made thereupon, and for other purposes.

The following bill was taken up and read the second time, and referred to the Joint Committee on the Governor's special message :

A bill to protect the rights of the people of Georgia.

The following bill was taken up and read the second time, and made the special order for Thursday, 22d November, inst :

A bill to aid the citizens of Georgia in the construction

of Railroads in this State, upon the conditions and limitations herein specified.

On motion of Mr. Cone the Senate then adjourned until 10 o'clock, to-morrow morning.

TUESDAY, NOVEMBER 13th, 1860.

10 O'CLOCK, A. M.

Senate met according to adjournment, and was opened with prayer by Dr. S. K. Talmage.

The following message was received from the House of Representatives, by Mr. Hillyer their Clerk:

Mr. President: I am directed by the House of Representatives to inform the Senate that they have passed a bill to be entitled an act to authorise the State Treasurer to make certain advances, and for other purposes.

On motion, the following bill of the House of Representatives was taken up and read the first time.

A bill to require the Treasurer of the State to make certain advances, and for other purposes.

Mr. Billups offered the following resolution, which was read.

Resolved, That the Committee on the Judiciary be instructed to examine into the necessity and propriety of additional legislation to protect fruit growers from depredations and thefts to which they are exposed in their business, and if they deem it necessary, to report a bill granting such protection.

Mr. Bond introduced a bill to incorporate the Bank of Lafayette; which was read the first time.

Mr. Collier introduced a bill to incorporate the Union Loan and Building Association in the city of Atlanta; which was read the first time.

Mr. Donaldson introduced a bill to change the line between the counties of Pierce and Wayne; which was read the first time.

Mr. Hart offered the following resolution, which was read:

Resolved, That five hundred copies of the Comptroller General's report be printed for the use of the Senate.

Mr. Harris, of Worth, introduced a bill to prevent the peddling of spirituous liquors in the county of Worth; which was read the first time.

Mr. Hightower introduced a bill to alter the time of holding the elections of Receivers of Tax Returns, and for other purposes; which was read the first time.

Mr. Holt introduced a bill for the relief of J. M. Bivins, Van Marcus and R. L. Mott; which was read the first time.

Mr. Johnson, of Clayton, offered the following resolution, which was read.

Resolved, That so much of the Executive Message as relates to the Judiciary, be referred to the Committee on the Judiciary; on Finance, to the Committee on Finance; on Internal Improvements, to the Committee on Internal Improvements; on Education and Free Schools, to the Committee on Public Education and Free Schools; on Banks, to the Committee on Banks; on Penitentiary, to the Committee on the Penitentiary; on the Lunatic Asylum to the Committee on the Lunatic Asylum; on Military, to the Committee on the Military; on Printing, to the Committee on Printing; on the Deaf and Dumb Asylum, to the Committee on the Deaf and Dumb Asylum; on the Institution of the Blind, to the Committee on the Institution for the Blind; on Federal Relations, to the Committee on the State of the Republic.

Mr. McGehee presented a memorial of the Cotton Planters' Convention; which was read and referred to the Committee on Agriculture.

Mr. McLeod introduced a bill to compel all persons having temporary residence in the county of Emanuel to give in and pay tax on all the property owned by them in said county; which was read the first time. Also,

A bill to compensate officers and freeholders for their services for holding elections, and Petit Jurors in the county of Emanuel; which was read the first time. Also,

A bill to exempt from Jury duty all practicing physicians in the county of Emanuel; which was read the first time. Also,

A bill to prevent persons from peddling spirituous liquors in the county of Emanuel; which was read the first time.

Mr. Bond introduced a bill to authorise the county of Walker and Chattooga to aid in the construction of the Coosa and Chattooga River Railroad, and for other purposes; which was read the first time.

Mr. Printup introduced a bill to incorporate the Alabama Planters' Steamboat Company; which was read the first time.

Mr. Quillian introduced a bill to provide for the distribution and disbursement of the common school fund to which the county of Gilmer is, or may be entitled, and for other purposes; which was read the first time.

Mr. Pool introduced a bill to require in all cases the names of secret prosecutors to be endorsed upon bills of indictment and presentments of Grand Juries, so far as the same relates to the county of Hall; which was read the first time.

Mr. Rushin introduced a bill for the relief of Jas. Parker, of Marion county; which was read the first time.

Mr. Sturges introduced a bill to prevent and punish camp-hunting in Burke county by non-residents; which was read the first time.

Mr. Reid, of Taliaferro, introduced a bill to rid the State of Georgia of free persons of color, and for other purposes therein mentioned; which was read the first time.

Mr. Sweat introduced a bill to authorise the Commissioners of the town of Waresboro to open the streets, and for other purposes; which was read the first time.

Mr. Tillman introduced a bill to repeal an act entitled an act to alter and amend the Road Laws of this State, so far as relates to the county of Oglethorpe, and the several counties herein named, assented to December 13th, 1855, so far as the same relates to the county of Colquitt; which was read the first time.

Mr. Wallace introduced a bill to authorise the Inferior Court of Taylor county to levy an extra tax for the purpose of rebuilding the jail of said county; which was read the first time.

Mr. Ward introduced a bill to repeal the first section of an act to to change the name of William Capers Day, of Greene county, to that of William Capers Rhodes, and to legitimate the same, and for other purposes therein mentioned, approved, February 21st, 1850; which was read the first time.

Mr. Whitworth introduced a bill to incorporate the Georgia Mining Company, in the county of Carroll, and for other purposes therein mentioned; which was read the first time.

Mr. Wilson introduced a bill to suppress the use of intoxicating liquors at elections in the county of Murray; which was read the first time.

Mr. Young introduced a bill to repeal an act so far as relates to Irwin county, and for other purposes therein mentioned; which was read the first time.

Mr. Cannon introduced a bill to change the line between the counties of Wayne and Glynn; which was read the first time.

Mr. Jordan introduced a bill to repeal so much of an act entitled an act to compel persons non-residents of the counties of Wayne, Irwin and Wilcox, owning, penning and grazing stock cattle in said counties, to return and pay taxes on the same in said counties, so far as requires non-residents to pay an extra tax in the county of Wilcox, and for other purposes, &c.; which was read the first time.

On motion of Mr. Hart the rules were suspended, and the Senate took up, as the report of the Committee of the Whole, a bill to change the time of holding the Superior Courts in the county of Bryan.

Mr. Hart moved to amend the report by striking out the words "Monday after the fourth in November," and insert

the words "the second Monday after the fourth Monday in November," which was agreed to.

The report as amended was agreed to. The bill was read the third time and passed.

On motion the Secretary was directed to transmit the same forthwith to the House.

Mr. Davison presented the proceedings of a meeting of the citizens of Richmond county, accompanied with a series of resolutions adopted by the same, relative to our Federal relations, which, on motion, were referred to the Committee on the State of the Republic.

Mr. Whitehurst offered the following resolution, which was read:

Resolved, That the Legislature of the State of Georgia recommend to the Convention of the State, when assembled, that they require of those States which have passed laws derogatory to the Constitution of the United States, a repeal, to-wit: those in derogation of the fugitive slave law, by a meeting of their people in Convention to that effect, or by their giving us a guarantee from their members in Congress, to require the President to faithfully execute the fugitive slave law, and further guarantee to us our constitutional rights in the Territories, and unless the requirements are faithfully adhered to and fulfilled in letter and spirit, that the State of Georgia will never submit to the inauguration of Lincoln as President of the United States, it will withdraw from the violated compact.

The following message was received from the House of Representatives, by Mr. Hillyer, their Clerk:

Mr. President: I am directed by the House of Representatives to inform the Senate that they have concurred in the resolution of the Senate referring that portion of the Governor's Message relating to the establishment of an Armory, and Maj. Mark A. Cooper's proposition, to a select Committee of both Houses, and the Speaker has appointed as the Committee on the part of the House Messrs. Lewis of Hancock, Lockett, Lewis of Greene, Hartridge and Wofford.

They have also agreed to a resolution making the Committees of the two Houses appointed, to consider the subject of the boundary line between the States of Georgia and Florida a joint committee, and requesting certain information from the Governor respecting the same.

They have also passed the following bill:

A bill to provide for the common defence of the State of Georgia, and to appropriate money for the same;

Which bill I am directed to transmit forthwith to the Senate.

On motion of Mr. Fulton, the rules were suspended, and the following bill of the House was taken up and read the first time:

A bill to provide for the common defence of the State of Georgia, and to appropriate money for the same.

On motion of Mr. Seward the following resolution was taken up and lost.

Resolved, That the Senate do proceed to the consideration of the unfinished business of last session.

The following memorial was read, and referred to the Committee on Military:

MILLEDGEVILLE, GA., Nov. 13th 1860.

To the Hon. Theodore L. Guerry,

President of the Senate:

As presiding officer of the Convention of the Volunteer Companies of Georgia, which met in this city on yesterday, I have the honor to present to the honorable body over which you preside, the following Resolutions passed unanimously by said Convention:

Resolved, That this Convention highly approve of the recommendation made by His Excellency the Governor in his special Message to the Legislature, That the sum of one million of dollars (\$1000,000) be immediately appropriated as a Military fund for the current political year; and that prompt provision be made for raising such portion of the as money may not be in the Treasury, as fast as the public necessities may require its expenditure.

Resolved, That this Convention respectfully recommend to the Legislature to make provision for the establishment of an Armory within this State for the manufacture of arms and munitions of war.

Resolved, That this Convention respectfully recommend to the Legislature to abandon entirely the present military system of the State, and to organize the military force as nearly as possible upon the plan of the Army of the United States of America, with its various departments and branches of service, so far as the volunteer nature of our organization will permit.

Resolved, That we further recommend the Legislature to direct the procurement of arms, accoutrements, ammunition and stores of all kinds, sufficient for any army of—men, of all arms of service in their proper proportions, and that all such arms, stores, &c., be placed in the charge of a chief of ordnance, who shall superintend the safe keeping and distribution of the same.

Resolved, That we further recommend to the Legislature to place under the general supervision of the Ordnance

Department of the service, if organized as above suggested, all armories, founderies, arsenals and factories of arms, ammunitions, &c., that may be established by the State.

Resolved, That this Convention respectfully suggest to the Legislature of Georgia the propriety of extending to the Artillery Companies now organized or to be organized in our State, some special encouragement.

Resolved, That this Convention recommend to His Excellency the Governor of Georgia, That in the event of an appropriation by the General Assembly of the State of Georgia, be made for the purchase of arms, that the artillery companies now organized, be provided at as early a day as possible, each with a battery of six rifled cannon, and all the necessary equipments to place them on a war footing. We recommend, in addition to side arms that the squadron of the 1st Division be furnished as soon as possible with a revolver, and a carbine, and that they, together with all other organized companies, be furnished according to the demands of their particular service.

We recommend that all Cavalry Companies be furnished in like manner wherever they are properly organized in due requirements of law.

Resolved, That the members of this Convention obligate themselves individually and collectively, to do all they can to promote the interest of any enterprising citizen or citizens of this or any other Southern State who will put up and manufacture military buttons, lace, uniform hats, uniform cloth, &c.

WHEREAS, We, the Representatives of the Volunteer Soldiery of the State, believe that Georgia can no longer remain in the Union consistently with her safety and best interest, and whereas, her secession, if determined on, may possibly result in a resort to arms, Therefore,

Resolved, That we do hereby cheerfully tender our services to the Governor of Georgia whenever required.

JOHN W ANDERSON,

President Military Convention.

On motion of Mr. Spaulding the same was referred to the Military Committee, and 200 copies ordered to be printed for the use of the Senate.

Mr. Holt presented the proceedings of a meeting of a portion of the citizens of Muscogee county, relative to our Federal relations, and on motion, the same was read and referred to the joint committee on the special Message of His Excellency the Governor.

Mr. McGhee offered the following Resolution, which was read :

WHEREAS, The election of Lincoln to the Presidency, and Hamlin to the Vice Presidency of the United States

upon a platform unconstitutional in its objects and destructive of the equality of the States, and in open hostility to the rights of fifteen States of this confederacy; and,

Whereas, the government of this confederacy has been in either the hands of Southern men, or those who were friendly to the maintenance of the constitutional rights of the South; and now that the election of Lincoln and Hamlin, upon the avowed creed and boldly declared purposes of the Black Republican party, is destructive of those rights, and as a large number of those States that have given them an almost undivided support, have passed personal liberty bills to defeat the constitutional rights of the South, when, without a full recognition of those rights, this confederacy would not, and could not have been created; and as the election of Lincoln and Hamlin strengthens those adversaries of the South, and encourages incendiarism, thereby destroying the domestic tranquility of the Southern States, denying to their citizens the protection of property and life, the leading objects of the constitution; and in view also, of the rapid growth and arrogant pretensions of the Black Republican party, all parties at the South have taken position heretofore against the passing of the government into their hands, and as Mr. Fillmore, who was warmly supported at the South, and regarded by his friends as a wise and conservative statesman, declared that the South ought not to submit to the election of John C. Fremont on his revolutionary platform, and as the great expounder of the Constitution, himself a Northern man, and for whom his friends were so ardent in his support for his fidelity to that instrument, that many of them voted for him for the Presidency even after his death; as a tribute of their admiration for his wisdom and patriotism, declared in a speech at Capon Springs, in Virginia, that a failure on the part of the Northern States to faithfully execute the Fugitive Slave Law, would be just cause for the South to withdraw from the Union; and as public sentiment, as far as has been ascertained, has unmistakably declared in primary assemblages of the people, that the South ought not to submit to the inauguration of a Black Republican President. Therefore,

Resolved, by the General Assembly of the State of Georgia, That the election of Lincoln and Hamlin, over a united opposition of fifteen States, with the avowed object of hostility to Southern interests, should be resisted, even to the disruption of every tie that binds Georgia to the Union, and that this Legislature proceed, in pursuance of the recommendation of his Excellency the Governor, to place the State by a purchase of military equipments, in a condition to maintain, if necessary its independence out of the Union.

On motion the Senate adjourned until 10 o'clock, to-morrow morning.

WEDNESDAY, NOVEMBER 14th, 1860. }
10 O'CLOCK, A. M. }

Senate met according to adjournment, and was opened with Prayer by Rev. Mr. Scott.

On motion of Mr. Seward the rules were suspended and the following bill of the House of Representatives was taken up and read the second time:

A bill to provide for the common defence of the State of Georgia, and to appropriate money for the same.

On motion of Mr. Seward two hundred copies of the same were ordered to be printed for the use of the Senate.

Mr. Cook offered the following resolution:

Resolved, That the bill to raise one million dollars be referred to the Military Committee to report by bill or otherwise, some system by which one or more Militia companies shall be armed and equipped for the purpose of defence, in each county, and to limit and direct the manner in which the same shall be laid out and expended.

Mr. Printup moved to amend the same by adding the following, "and to the Finance Committee for the purpose of reporting on the propriety of said appropriation, and the mode and manner of raising the means to answer the same."

On motion of Mr. Collier the resolution and amendment was laid on the table.

Leave of absence was granted Mr. Whitehurst for a few days on account of sickness of family.

Leave of absence was granted Mr. Hackett for a few days on account of sickness of family.

Mr. Atkinson introduced a bill to protect rights and liabilities of the people of the State of Georgia; which was read the first time.

Mr. Collier presented the proceedings of a meeting of the citizens of Fulton county, relative to our Federal relations.

On motion the same was referred to the joint committee on the Special Message of his Excellency the Governor.

Mr. Tracy presented the proceedings of a public meeting of the citizens of Bibb county, relative to our Federal Relations, which, on motion, were referred to the joint-committee on the special message of his Excellency the Governor.

Mr. Printup offered the following resolution, which was read:

Resolved, That the Superintendent of the Western & Atlantic Rail Road be and is hereby authorized and requested to charge pro-rata through rates of freight on all freights passing over said railroad, designed for and shipped to and from the Rome Rail Road, a branch railroad connecting with said Western & Atlantic Rail Road at Kingston.

On motion of Mr. Johnson, of Clayton, the following resolution was taken up, read, and agreed to:

Resolved, That the editors and reporters be furnished with seats upon the floor of the Senate.

Leave was granted Mr. Brown to withdraw the following bill, which was a part of the unfinished business of last session, to-wit:

A bill the better to secure and protect the rights of married women.

The following message was received from the House of Representatives, by Mr. Hillyer, their Clerk:

Mr. President—I am directed by the House of Representatives to inform the Senate that they have passed the following bills:

A bill to compensate the Tax Receiver of Clark county for services rendered; also,

A bill to incorporate the town of Ackworth, in the county of Cobb, and for other purposes therein mentioned; also,

A bill to authorize the Ordinary of Chattahoochee county to pay poor school account; also,

A bill to incorporate the B'Nai Briss (United Brothers) Association of Savannah; also,

A bill to authorize Tilman P. Burgamy, of the State of Alabama, to become the guardian of his father, John Burgamy, a lunatic, of Fayette county.

Mr. Harris, of Worth, introduced a bill to add an additional section to the penal laws of this State, relative to slaves, which was read the first time.

Mr. Brown introduced a bill to change and alter the county-lines between the counties of Macon and Dooly; which was read the first time.

Mr. Ivey introduced a bill to repeal an Act to authorize the Justices of the Inferior Courts of the several counties in this State to create and lay out any new districts, and for other purposes, so far as relates to the counties of Habersham and Rabun; which was read the first time.

Mr. Turner introduced a bill to authorize executors and administrators, guardians, trustees, and other persons having charge of the property of minors, to keep and work the same together in certain cases; which was read the first time.

Mr. Gartrell introduced a bill for the relief of Sylvester Hill, wife of John Hill, of Cobb county; which was read the first time.

Mr. Bartlett introduced a bill to require the Judges of the Superior Courts of this State to give their charges to

the jury in writing, in the cases therein provided; which was read the first time. Also,

A bill to authorize the Thomaston & Barnesville Rail Road Company to construct and extend their railroad to some point on the railroad of the Muscogee Rail Road, and for other purposes; which was read the first time.

On motion of Mr. Billups, all resolutions previously offered were taken up.

Leave of absence was granted Mr. Trippe, for a few days, on special business.

The Senate took up the following resolutions, which were read and agreed to, to-wit:

A resolution instructing the Judiciary Committee to examine into the necessity of additional legislation to protect fruit growers from depredations and thefts to which they are exposed in their business; also,

A resolution referring portions of the message of his Excellency the Governor to appropriate committees; also,

A resolution to print five hundred copies of the Comptroller General's Report for the use of the Senate; also,

A resolution of the House of Representatives in relation to the boundary line between Georgia and Florida.

The Senate took up the following resolutions, which were referred to the Committee on the Special Message of his Excellency the Governor, to-wit:

A resolution in relation to the military and minute men. Also,

A resolution in relation to our Federal relations. Also,

A resolution referring all bills and resolutions on the subject of our Federal relations to the Delegate Convention.

The Senate took up a resolution bringing on the election of United States Senator; which was laid on the table.

The Senate took up the following bills, which were severally read the second time, and referred to the Committee on the Judiciary:

A bill to require in all cases the names of secret prosecutors to be endorsed upon bills of indictment and presentments of Grand Juries, so far as the same relates to the county of Hall. Also,

A bill to provide for the trial of causes in the Superior Courts of this State, when the Judge presiding in such Court shall be incompetent to try the same under existing laws. Also,

A bill to amend the thirty-first section of the attachment laws of this State, approved 4th March, 1856. Also,

A bill to approve, adopt and make of force in the State of Georgia, a revised Code of laws prepared under the direction and by authority of the General Assembly thereof, and other purposes therewith connected. Also,

A bill to exempt from levy and sale the life time estate of widows. Also,

A bill to rid the State of Georgia of free persons of color, and for other purposes therein mentioned.

The Senate took up the following bill, which was read the second time, and referred to the Committee on Banks :

A bill to incorporate the Bank of LaFayette.

The Senate took up the following bills, which were severally read the second time, and referred to the Committee of the Whole :

A bill for the relief of James Parker, of Marion county. Also,

A bill to prevent and punish camp-hunting in Burke county by non-residents. Also,

A bill to prevent the peddling of spirituous liquors in the county of Worth. Also,

A bill to change the line between the counties of Pierce and Wayne. Also,

A bill to change the line between the counties of Union and Fannin. Also,

A bill to ratify and make valid the ordinances and resolutions of the Mayor and Council of the city of Columbus, in reference to any subscription heretofore made, or which may hereafter be made, by said Mayor and Council to the stock of the Opelika and Talladega Rail Road Company.— Also,

A bill to provide for the distribution and disbursement of the common school fund of Gilmer county. Also,

A bill to change the name of the Thomaston and Barnesville Rail Road Company, to that of Upson county Rail Road company, to incorporate the same, and for other purposes. Also,

A bill to alter the time of holding the election of Tax Receivers and Collectors in this State, and for other purposes. Also,

A bill to incorporate the Dawson Turnpike Road Company. Also,

A bill to incorporate the Union Loan and Building Association in the city of Atlanta. Also,

A bill to legalize the Executorship of Thomas W Anderson, and for other purposes. Also,

A bill to exempt from Jury duty all practicing physicians in the county of Emanuel. Also,

A bill to compel all persons having temporary residences in the county of Emanuel, to give in and pay taxes on all the property owned by them in said county. Also,

A bill to compensate officers and freeholders for their services for holding the general elections and county elections, and Petit Jurors in the county of Emanuel. Also,

A bill for the relief of J. M. Bivins, Van Marcus and R. L. Mott. Also,

A bill to incorporate the Alabama Planters' Steamboat Company. Also,

A bill to authorise the county of Chattooga and Walker, to aid in the construction of the Coosa and Chattooga River Railroad, and for other purposes. Also,

A bill to prevent persons from peddling spirituous liquors in the county of Emanuel. Also,

A bill to repeal so much of an act entitled an act to levy a tax on all goods peddled in this State, or sales by sample or otherwise, by itinerant drummers or other persons, and for other purposes, as prohibits the peddling on tobacco without license in this State, approved December 15th, 1859.

On motion, Mr. Hart was added to the Committee on the Military.

The Senate took up the following bill, which was read the second time, and referred to the Committee on the Special Message of his Excellency the Governor :

A bill authorising the calling of a Convention of the people of this State.

On motion the Senate adjourned until 10 o'clock, to-morrow morning.

THURSDAY, NOVEMBER 15TH, 1860. }
10 O'CLOCK, A. M. }

The Senate met according to adjournment, and was opened with prayer by the Rev. Mr. Evans.

Leave of absence was granted Mr. Griffin, of Twiggs, for a few days, on special business.

Mr. Harris, of Worth, offered the following resolution, which was read :

Resolved, That the Judiciary Committee be instructed to consider upon the propriety of adding an additional section to the penal code, or a change in the law now existing as to the punishment of larceny in the stealing of negroes, with a view of making the punishment for said offence death or

perpetual imprisonment in the Penitentiary, and if, in their judgment such action is required, to report a bill accordingly

Mr. Alexander introduced a bill to provide for the removal of the Penitentiary, and for other purposes; which was read the first time.

Mr. Brown introduced a bill for the relief of Overton Seago and Eleanor Speir; which was read the first time.—
Also,

A bill better to protect and secure the rights of married women; which was read the first time.

Mr. Cloud introduced a bill for the relief of Mary Ann Stephens, of the county of Henry; which was read the first time.

Mr. Cook introduced a bill to change the county line between the counties of Sumter and Macon; which was read the first time.

Mr. Davis introduced a bill to provide for the distribution of the educational fund to each school district in each county in this State, and for other purposes; which was read the first time.

Mr. Davison introduced a bill for the relief of the people of this State, and to repeal certain clauses of the act of 1857, in relation to Bank charters; which was read the first time.

On motion of Mr. Lawton, one hundred and fifty copies of the same was ordered to be printed for the use of the Senate.

Mr. Ferrill introduced a bill for the relief of married persons; which was read the first time.

Mr. Fulton introduced a bill to authorise guardians of free persons of color to make returns to the Ordinaries of this State; which was read the first time.

Mr. Gartrell introduced a bill to alter and amend the laws of this State in relation to the stay of executions, and for

Mr. Allred introduced a bill to add another section to the Penal Code; which was read the first time.

other purposes; which was read the first time.

Mr. Gaston introduced a bill to amend an act incorporating the town of Grantville; which was read the first time.

Mr. Evans offered the following resolution, which was taken up and referred to the Joint Committee on the Special Message of his Excellency the Governor:

The State of Georgia, by her General Assembly, resolves as follows:

The first necessity of a people who would defend their rights when assailed, or redress wrongs already inflicted, is unity of action among themselves. Efficient resistance to the wrongs, and satisfactory redress of the grievances set

forth in the Special Message of his Excellency the Governor, to the General Assembly, require the united action of the people of Georgia, with an unfaltering purpose to secure their constitutional rights at every cost or hazard. Mere differences of opinion may be conceded to produce harmony among ourselves for immediate, continued and efficient action upon some general plan agreed to by the people of the State, such as the following:

1st. Immediate and continued legislation to promote the prosperity of the State, through effectual encouragement to direct trade with foreign countries from our own ports, and to home manufactures, home education, and all the immediate interests of the State.

2d. The immediate enactment of all constitutional laws to prevent those people of those States who have legislated against the faithful execution of the fugitive slave law, or against any right of the people of this State guaranteed by the Constitution of the United States, or against the interests of the people of this State, from prospering at our expense.

3d. Organizing, arming and fully equipping the people of the State for their defence, and by such legislative encouragement to the formation of Volunteer Companies in this State, as will induce the enrolling of Volunteers in every county, and the formation of an efficient State military organization.

4th. The passage of alleviating laws, to take effect in the event of future emergencies.

5th. Calling a Convention, to assemble as early as practicable, of the Representatives of the people of this State in their sovereign capacity, to consider the whole subject of our Federal relations—including our relations toward the Federal as well as State Government, and to decide what action shall be taken by Georgia, whether separately, in, or out of the Union, or by concerted action with the Southern States, or any number of the same.

6th. Requesting the Governor to convene the Legislature, to pass any laws that may be necessary to aid in the execution of the will of the Convention, if they determine on any line of action.

7th. Appointing a commissioner, or communicating otherwise, an address to each Southern State, inviting their co-operation.

In the meantime, while disclaiming any effort to dictate to the people, we, as their representatives, may take the privilege to recommend to them the following line of policy:—

1st. Continuance in the faithful discharge of all constitutional duties, while the State remains in the Union.

2d. Encouragement to merchants to purchase goods in Southern markets, by local associations for that purpose.

3d. Exclusive patronage of Southern manufactories, publishing houses, and every other specie of Southern industry, including the most ample encouragement to the Southern press.

4th. Refusing to purchase any goods, wares or merchandise from any State, or which are manufactured in any State, that has or may hereafter legislate unjustly against the interests of the people of this State.

5th. To place themselves in a State of preparation to meet separation from the Northern States, if separation occurs.

6th. To require an immediate indication from the "faithless States," followed by as early legislation on their part as possible, for a thorough reform in their legislation against the South.

7th. To determine that the maintenance of the connection between this State, in the present Union with those "faithless States," shall depend upon the repeal of all the laws of those States that impair the efficacy of the fugitive slave act, and after such a repeal, a continued and strict observance of every constitutional right of this State or its people, by the administration of the President recently elected by the Northern States.

8th. To advise immediate consultation and concert of action with the Southern States that will meet Georgia in General Convention, and through their representatives to elect Delegates to such Southern Convention.

9th. To adjourn their State Convention to assemble immediately after the action of the Convention of Southern States, to determine on the final action of the State, and the reference of their final action to the people.

10th. To determine that, although Georgia may not now secede from the Union, yet if any other Southern State or States should secede, that they will not take the part of the Federal Government against the seceding State or States, but if the emergency is forced upon them, will render co-operation to the seceding State in preference to the Federal Government.

11th. That this line of policy be pursued in the shortest possible time consistent with the greatness of the question, and the interest of the State.

12th. And finally, that when the sovereign will of Georgia shall have been expressed, her citizens will be united for its execution.

The following message was received from the House of Representatives, by Mr. Hillyer, their Clerk :

Mr. President : I am directed by the House of Representatives, to inform the Senate that they have passed the following bills, to-wit :

A bill to amend an act entitled an act to incorporate the Presbyterian Church of Walthourville, Liberty county, and to incorporate the Savannah Flour Mill Company, assented to Dec. 10th, 1858.

A bill to repeal an act to alter and amend the road laws of this State, so far as relates to the county of Lumpkin, assented to the sixteenth of December, eighteen hundred and fifty-seven.

A bill to authorize Wilkenson Sparks, administrator with the will annexed of John Sparks, deceased, and administrator of Elizabeth Sparks, deceased, and administrator of William A. Sparks, deceased, late of Harris county, to sell the lands and negroes belonging to each of said estates on the first Tuesday in December, 1860.

A bill to alter the sixth section of the third article of the Constitution of this State, so far as relates to the day on which the Ordinaries are elected.

A bill to amend the charter of the city of Darien, Georgia, so far as the election of Mayor is concerned.

A bill to authorise the Inferior Court of the county of Hancock to levy an extra tax for county purposes.

A bill to change the time of holding the Inferior Courts in the county of Glascock.

A bill to explain the act to change the times of holding the elections for county officers, Judges of the Superior Courts, Attorney and Solicitors General, (except the Ordinaries,) in this State, assented to December the 16th, 1859.

A bill to make the Inferior Court of the county of Lowndes, successors in office to the commissioners appointed under an act to remove the county site of Lowndes county, to change the line between said county and the county of Brooks, and for other purposes, and to authorise said Inferior Court to lay off said county of Lowndes into militia districts, and for other purposes.

A bill to authorize the Clerk of the Inferior Court of Jasper county, appointed by the Justices of said Court to fill the vacancy occasioned by the death of James E. Shropshire, late Clerk of said Court.

A bill to consolidate the offices of Tax Receiver and Collector for the county of Dade.

They have also passed the following Senate bill, to-wit :

A bill to change the time of holding the Superior Courts of the county of Bryan.

Mr. Greene introduced a bill to incorporate the town of

Tallapoosa, in the county of Haralson ; which was read the first time.

Mr. Grice introduced a bill to punish persons for obstructing the navigation of Penalton Creek, in the county of Tattall ; which was read the first time.

Mr. Byars introduced a bill to authorise the Board of Education of Butts county, to allow and to require the Ordinary of said county to pay to Addison Talliaferro, a teacher of poor children for the year 1857, and Thomas J. Hammond, a teacher of poor children for the year 1858, out of any money belonging to the poor school fund of said county ; which was read the first time. Also,

A bill to change the line between the counties of Henry and Butts ; which was read the first time.

Mr. Lamar introduced a bill to authorise the Justices of the Inferior Court of Baker county to pay to the Tax Receiver of said county a per centage for the county tax ; which was read the first time.

Mr. Gartrell offered the following resolutions, which were taken up and referred to the Joint Committee on the Special Message of his Excellency the Governor :

Whereas, The great and the only purpose of establishing our Federal Government, was "to form a more perfect Union, establish justice, ensure domestic tranquility, provide for the common defence, promote the general welfare, and secure the blessings of liberty" to the people of the States and their "posterity," all of which objects have been defeated by most of the non-slaveholding States in the enactment of laws nullifying and resisting the execution of the fugitive slave law enacted by the Federal Government, for the recovery of fugitive slaves ; and whereas, the election of Abraham Lincoln and Hannibal Hamlin on sectional principles, which are at variance with the Constitution, and at war with the equality of Georgia and her sister Southern States in this Union, forebode further and continued aggressions upon the rights and equality of the people of Georgia ; and whereas, Georgia cannot and will not submit to such violations of the Constitution of those United States, nor to such disregard for equality in the Union. Therefore be it,

Resolved by the General Assembly, That the only terms upon which Georgia may remain in the Union are the following :

That the citizens of the non-slaveholding States aforesaid, shall, on or by the first day of February next, by their Legislatures, repeal all laws and parts of laws nullifying and resisting the execution of the fugitive slave law, and in lieu thereof, pass laws in the several non-slaveholding States, making it a heavy penal offence for any person within the limits of said non-slaveholding States, to interfere with, or

in any way resist the free and successful execution of said fugitive slave law, and shall also pass laws making it a heavy penalty, not less than twice the value of the slave sought to be recovered, for any person in the limits of the non-slave-holding States, to assist in the execution of the said fugitive slave law, when called upon by the legal authorities to do so.

Resolved further, That Abraham Lincoln and Hanibal Hamlin, ought and must pledge themselves to see that the Fugitive Slave Law is faithfully executed, and not veto any bill admitting any State into this Union, on account of slavery in its constitution, to sign no bill abolishing slavery in the District of Columbia, or abolishing the slave trade between the States, or any act abolishing slavery in places purchased by the United States, for the erection of forts, arsenals, magazines, dock-yards and for other like purposes, or any act prohibiting the introduction of slavery into any of the Territories of the United States, or any act repealing or materially modifying the laws now in force, for the recovery of fugitive slaves.

Resolved, That His Excellency the Governor of this State be and he is hereby requested to forward a copy of the foregoing preamble and resolutions to the several Governors of the non-slave-holding States.

Mr. Lawton introduced a bill to incorporate the Savannah, Western and Central Wharf Company ; which was read the first time.

Mr. Lenoir introduced a bill to further protect the rights and interest of minors and orphans ; which was read the first time.

Mr. Morris introduced a bill to incorporate Poplar Spring Methodist Episcopal Church, in the county of Franklin ; which was read the first time.

Also, a bill to amend an act, assented to Dec. 15th, 1859 relative to itinerant traders in this State ; which was read the first time,

Mr. Poole offered the following resolution, which was read.

Resolved, That no new matter be introduced into this branch of the General Assembly, after the 25th inst., unless by a two-third vote of the Senators present.

Mr. Printup presented the proceedings of a meeting of the citizens of Floyd county, relative to our Federal Relations, which was taken up and referred to the joint committee on the Special Message of His Excellency the Governor.

Mr. Pruitt introduced a bill to compensate the Sheriff of Banks county, for making out service and summoning jurors ; which was read the first time.

Mr. Reid of Talliaferro, introduced a bill to amend an act for preventing and punishing vice, profaneness and immor-

ality, and for keeping the Lord's day, commonly called Sunday, approved March 4th, 1762; which was read the first time.

Mr. Sirman introduced a bill to provide for the removal of the Public Buildings in the county of Clinch, and for other purposes; which was read the first time.

Mr. Smith of Hancock, introduced a bill to repeal any and all laws making it penal for carrying concealed weapons; which was read the first time.

Mr. Smith of Talbot introduced a bill to authorize Executors and Trustees, to invest money of married women and children, in lands and negroes; which was read the first time.

Also, a bill to revise the jury system of this State; which was read the first time.

Mr. Snell introduced a bill to make penal the practice of marking cattle, hogs and other stock, by cutting off the ears as a lawful mark; which was read the first time.

Mr. Spalding presented the proceedings of a meeting of the citizens of McIntosh county, relative to our Federal Relations, which was taken up and referred to the committee on the state of the Republic.

Mr. Summerour introduced a bill to incorporate the Amacalolah Methodist Episcopal Church Camp ground; which was read the first time.

Also, a bill to incorporate the Amacalolah Hydraulic Hose Mining Company, of the counties of Dawson and Lumpkin, and for other purposes therein specified; which was read the first time.

Mr. Tracy introduced a bill to change the name of Theodosia Orianna Thompson, and for other purposes; which was read the first time.

Mr. Trippé introduced a bill to amend an act, to incorporate the Ocmulgee Mills in Butts county, and to increase the capital stock of the same; which was read the first time.

Mr. Trippé offered the following resolutions, which were taken up, read, and referred to the special joint committee on the Special Message of His Excellency the Governor.

Resolved by the Senate and House of Representatives of the State of Georgia, in General Assembly convened:

1st, That the Constitutional Rights of Georgia and other slave-holding States of the Union, have been violated by the Legislatures of a majority of the Northern or non-slave-holding States.

2nd, That the policy and spirit that founded and actuates the party that enacted said legislation, are subversive of the Federal Constitution, and dangerous to the peace and safety of Georgia.

3d, That the result of the late Presidential election, proves

that party able to elect the Chief Magistrate of this Union, to control the Executive Department of the Government; and is a warning that induces us to fear that the warfare so long waged against the rights, interest and honor of Georgia and the South, is their fixed and settled purpose.

In view of these facts, the General Assembly of Georgia do further

Resolve, That it becomes the duty of the State of Georgia to definitively declare what measures she will adopt to redress her wrongs, avoid danger and maintain her honor.

Resolved, That to effect this great end, to stop this war on the rights of Georgia and the South, and if possible, to place the Union on a more enduring basis, it is the opinion of this General Assembly, that amendments should be made to the Constitution of the United States, adjusting the questions in dispute, and securing beyond danger or chances of construction, the equality of the States, and the full rights of every member of the Union.

Resolved, That a Convention of Delegates from the slave-holding States, is hereby recommended to be held in the city of Atlanta, on Monday the 21st of January, 1861, to agree upon the amendments to be asked, and to propose such measures as the peace and safety of the South may demand, until it can be ascertained whether such amendments will be accepted.

Resolved, That as the decision of the question would be placed in the hands of those who have declared themselves inimical to our rights, to prevent the danger that would ensue from the whole power of the Federal Government, being under the control of an enemy, upon a final refusal to accept terms honorable and fair, it would in the opinion of this General Assembly, be worthy of the highest consideration of said Convention, to determine whether they should recommend a Provisional Government to maintain and defend the safety, peace and independence of the South, or such States as would be willing to co-operate and ratify the same, until the final action of the other States of the Union could be had.

Resolved, That a Convention of the people of Georgia be held in Milledgeville, on Monday the 11th of February, 1861, to consider the action of said Southern Convention, and to decide what course Georgia should pursue in the premises, and that this decision should be made before the 4th day of March, 1861.

Resolved, That an election be held on Monday the 31st of December, 1860, to elect delegates so represent Georgia in said Convention, to be held in Atlanta, and also to elect delegates to represent the several counties in this State, in the Convention to be held in Milledgeville, on the 11th of February, 1861.

Resolved, That the Committee on the State of the Republic be instructed to report a bill as early as practicable, to carry out the foregoing recommendations for holding said Conventions.

Mr. White introduced a bill to authorize the Ordinary of Walton county, to pay Mrs. C. J. Edwards formerly Miss C. J. Johnston, for teaching certain poor children in said county ; which was read the first time.

Mr. Whitehurst introduced a bill to incorporate Dallas Male and Female Academy, and to appoint trustees therefor ; which was read the first time.

Mr. Harris of Worth, introduced a bill to authorize constables in any Militia District in this State, to serve writs and other process of law, outside of their respective Districts, in certain cases, which was read the first time.

Also, a bill to authorize the Ordinaries of this State, to dispose of insolvent estates, when the same shall not exceed the sum of one hundred dollars ; which was read the first time.

Mr. Davison introduced a bill for the relief of Mary Wray of the county of Richmond, and for other purposes therein mentioned ; which was read the first time.

Mr. Paine from the committee on enrollment, reports as duly enrolled, and ready for the signature of the President of the Senate,

An act to change the time of holding the Superior Courts of the county of Bryan.

Mr. Guerry presented the proceedings of a meeting of the citizens of Quitman county, relative to our Federal Relations, which was taken up and referred to the joint Committee on the Special Message of His Excellency the Governor.

On motion of Mr Lawton the Senate proceeded to elect by ballot, a President pro tem, when on receiving and counting out the ballots, it appeared that Hon. John Billups, Senator from the county of Clarke, was duly elected.

On motion of Mr. Harris of Worth, the Senate took up as the report of the committee of the whole, the following bill of the House of Representatives to-wit: a bill to provide for the common defence of the State of Georgia, and to appropriate money for the same.

Mr. Holt moved to amend the report by adding the following proviso to the second section of the bill, to-wit:

Provided that said bonds shall in no event be negotiated at less than par.

Mr. Hightower demanded the previous question, which being seconded, the main question was ordered to be put.

The question being put on Mr. Holt's amendment, the same was lost.

The report of the committee was agreed to. The bill was read the third time. The main question was then put, which was, shall this bill now pass? and the bill was unanimously passed.

The Senate took up the following bill of the House of Representatives, which was read the second time, to-wit:

A bill to authorize and require the Treasurer of the State to make certain advances and for other purposes.

On motion the Senate then adjourned until ten o'clock to-morrow morning.

FRIDAY, NOVEMBER 16TH, 1860.

10 O'CLOCK, A. M.

Senate met according to adjournment, and was opened with prayer by Rev. Mr. Scott.

Mr. Trippe moved to reconsider so much of the Journal of yesterday as relates to the passage of the following bill of the House of Representatives, to-wit:

A bill to provide for the common defence of the State of Georgia, and to appropriate money for the same.

Upon agreeing to which motion, Mr. Trippe required the yeas and nays to be recorded, and were yeas 25, nays 87.

Those who voted in the affirmative are Messrs.

Alexander, Allred, Boggs, Bond, Chester, Cloud, Davis, Flewellen, Holt, Hood, Hyde, Kirby, Lenoir, McLeod, McRae, Poole, Printup, Reid of Taliaferro, Roberts, Sheppard, Summerour, Trippe, Usry, Wallace, Ward.

Those who voted in the negative are Messrs.

Ashley, Atkinson, Barclay, Barrow, Bartlett, Batts, Briscoe, Brown, Burnett, Byars, Cannon, Carter of Elbert, Collier, Cooper, Cook, Cone, Cowen, Crittenden, Davison, Delaperriere, Denham, Donaldson, Duncan, Evans, Fulton, Gartrell, Gaston, Glover, Green, Grice, Griffin of Brooks, Griffin of Twiggs, Hart, Harris of Dougherty, Harris of Worth, Harvin, Hightower, Hill of Wilkes, Hitchcock, Ivey, Jamison, Johnson of Cass, Jones, Jordan, King, Lamar, Lawton, Lockhart, Lott, Maddox, Maples, Merrill, McDuffie, McGehee, Moore of Laurens, Moore of Whitfield, Morris, Oliver, Paine, Pruitt, Reid of Morgan, Robinson, Rushin, Sawyer, Seward, Shelton, Shellnut, Sirman, Smith of Hancock, Smith of Talbot, Snell, Spalding, Sweat, Tar-

ver, Tillman, Turner, Tracy, Walker, Wellborn, Wells, White, Whitworth, Williams of Berrien, Williams of Rabun, Williams of Terrell, Wynne, Young.

So the motion to reconsider did not prevail.

Mr. Printup moved to print, for the use of the Senate, one hundred and fifty copies of the resolutions offered on yesterday by Mr. Trippe.

Which motion was agreed to.

Leave of absence was granted Messrs. Hines, Head, Jordan, Johnson of Clayton, Wilson, Bartlett, Tatum, Crittenden and Ferrill, for a few days, on special business.

Mr. Paine, from the committee on enrollment, reported as duly enrolled, signed by the Speaker of the House of Representatives, and ready for the signature of the President of the Senate, a Resolution in relation to the boundary line between Georgia and Florida.

The following Message was received from the House of Representatives, by Mr. Hillyer, their Clerk.

Mr. President: I am directed by the House of Representatives to inform the Senate that they have passed the following bills, to-wit:

A bill to furnish money to the Medical College of Georgia, for the purpose of educating and graduating certain young men in Georgia, and for other purposes.

A bill explanatory of an Act to incorporate College Temple in Newnan, Georgia, and to confer powers on the same, approved February 11th, 1854.

A bill to change the lines between the counties of Calhoun and Baker.

A bill to amend an Act entitled an Act to repeal an Act, to amend the road laws of this State, passed the nineteenth day of December, 1818, approved December twenty-first, eighteen hundred and twenty-two, so far as respects the county of Cherokee, and to adopt the following in lieu thereof; assented to December 7th, 1841.

A bill to incorporate the Trustees of the Oconee Hill Cemetery, and confirm the title of lots sold therein.

A bill to incorporate the Second Baptist Church, Kollock street, Augusta, Georgia, and for other purposes therein mentioned.

A bill for the relief of Sterling S. Jenkins.

A bill for the relief of George W. Reaves, of Pike county

A bill to incorporate the Home Loan Association and the People's Mutual Loan Association of Augusta, and for other purposes therein mentioned. And,

A bill to incorporate the St. Marys Volunteers, a Com-

pany of Infantry in the city of St. Marys, Camden county, and State of Georgia, and to authorize the Governor to furnish suitable arms and equipments for said Company.

On motion of Mr. Paine the rules were suspended, and the Senate took up as the report of the Committee of the Whole, the following bill of the House of Representatives, to-wit:

A bill to authorize and require the Treasurer of the State to make certain advances, and for other purposes.

The report was agreed to. The bill was read the third time and passed.

The Senate took up the following bill, which was read the second time and referred to the Committee on Banks, to-wit:

A bill for the relief of the people of this State, and to repeal certain clauses of the Act of 1857, in relation to Bank charters.

The Senate took up the following bill, which was read the second time and referred to the Committee of the Whole, to-wit:

A bill for the relief of Mary Wray of the county of Richmond, and for other purposes therein mentioned.

Mr. Hyde introduced a bill to relieve certain citizens of Gilmer county for illegal voting; which was read the first time.

Mr. Kirby introduced a bill to lay out a new county from the counties of Chattooga and Walker, and for other purposes; which was read the first time.

The Senate took up the following bill, which was read the second time, and referred to the Committee of the Whole, to-wit:

A bill to amend an act to authorise the Thomaston and Barnesville Railroad Company to construct and extend their Railroad to some point on the Railroad of the Muscogee Railroad Company, and for other purposes.

The Senate took up as the report of the Committee of the Whole, a bill to amend, and to simplify and curtail pleadings at law.

On motion the same was referred to the Committee on the Judiciary.

The Senate took up the as the report of the Committee of the Whole, a bill to authorise the Inferior Court of Baldwin county to subscribe for stock in the Milledgeville Railroad Company, to levy and collect a special tax, and issue bonds for the payment of said stock.

The report was agreed to. The bill was read the third time and passed.

The Senate took up as the report of the Committee of the Whole, a bill to empower Mrs. Elizabeth Lowther, a widow, of Jones county, to appoint Americus C. B. Mitchell, of Barbour county, Alabama, and Tennent Lomax, of Montgomery county, or either of them, her Executors, and to entitle them to have letters testamentary granted.

On motion the same was referred to the Committee on the Judiciary.

Mr. Briscoe, from the Committee on Enrollment, reports as duly enrolled, signed by the Speaker of the House of Representatives, and ready for the signature of the President of the Senate,

An Act to provide for the common defence of the State of Georgia, and to appropriate money for the same.

The Senate took up as the report of the Committee of the Whole, a bill to prohibit the running of locomotives and cars on the several Railroads in this State on the Sabbath day, and to provide for the punishment of a violation of the same.

Mr. Flewellen moved to amend the report by adding to the first section of said bill, the following words, "except in time of war, insurrection or invasion."

Pending the consideration of which, the Senate adjourned until 10 o'clock to-morrow morning.

SATURDAY, NOVEMBER 17TH, 1860, }
 10 O'CLOCK A. M. }

Senate met according to adjournment, and was opened with prayer by Rev. Mr. Scott.

Senate resumed the consideration of the unfinished business of yesterday, which was a bill to prohibit the running of locomotives and cars on the several railroads in this State on the Sabbath day, and to provide for the punishment of a violation of the same, and Mr. Flewellen's amendment thereto.

Mr. Printup moved to amend the amendment by adding the following proviso :

Providing and excepting from the provisions of this act those railroads over which the United States mail is carried.

Mr. Brown called for the previous question, and upon the question, "Shall the call for the previous question be second-

ed?" Mr. Harris of Worth required the yeas and nays, which being recorded, were yeas 51, nays 58.

Those who voted in the affirmative are Messrs.

Alexander, Allred, Ashley, Atkinson, Barclay, Brown, Byars, Carter of Elbert, Collier, Cook, Donaldson, Gartrell, Gaston, Green, Hart, Harvin, Hightower, Hood, Hyde, Jamison, Jones, Lockhart, Maddox, Maples, Merrill, McRae, Moore of Laurens, Poole, Quillian, Reid of Taliaferro, Robinson, Rushin, Sawyer, Shellnut, Sheppard, Sirman, Smith of Hancock, Smith of Talbot, Stowers, Sweat, Usry, Walker, Wallace, Wellborn, Wells, White, Whitworth, Williams of Berrien, Williams of Rabun, Wilson, Young.

Those who voted in the negative are Messrs.

Barrow, Bartlett, Batts, Billups, Boggs, Bond, Briscoe, Burnett, Cannon, Chester, Cloud, Cone, Cowen, Davis, Delaperriere, Denham, Duncan, Evans, Flewellen, Fulton, Glover, Grice, Griffin of Brooks, Harris of Dougherty, Harris of Worth, Hill of Sumter, Hill of Wilkes, Hitchcock, Holt, Ivey, Johnson of Cass, King, Lamar, Lawton, Lenoir, Lott, McDuffie, McGehee, McLeod, Moore of Whitfield, Morris, Oliver, Paine, Printup, Pruitt, Reid of Morgan, Riley, Roberts, Seward, Shelton, Snell, Tillman, Turner, Tracy, Ward, Ware, Williams of Terrell, Wynne.

So the call for the previous question was not seconded.

Mr. Bartlett moved to postpone indefinitely the report and amendments.

Upon agreeing to which motion Mr. Collier required the yeas and nays to be recorded, and were yeas 83, nays 27.

Those who voted in the affirmative are Messrs.

Ashley, Atkinson, Barclay, Bartlett, Batts, Bond, Briscoe, Burnett, Byars, Cannon, Carter of Elbert, Cooper, Cook, Cone, Cowen, Davison, Davis, Delaperriere, Denham, Duncan, Evans, Flewellen, Gaston, Glover, Green, Grice, Griffin of Brooks, Hart, Harris of Dougherty, Harris of Worth, Harvin, Hightower, Hill of Sumter, Hill of Wilkes, Hitchcock, Holt, Hood, Hyde, Ivey, Jamison, Johnson of Cass, Jones, King, Lamar, Lawton, Lenoir, Lott, Maples, McGehee, McLeod, McRae, Moore of Laurens, Oliver, Paine, Printup, Pruitt, Reid of Morgan, Reid of Taliaferro, Riley, Robinson, Roberts, Rushin, Sawyer, Seward, Shelton, Shellnut, Sheppard, Sirman, Smith of Hancock, Smith of Talbot, Snell, Stowers, Summerour, Tillman, Turner, Tracy, Usry, Ware, Wellborn, Wells, White, Whitworth, Young.

Those who voted in the negative are Messrs.

Alexander, Allred, Barrow, Billups, Boggs, Brown, Chester, Cloud, Collier, Donaldson, Fulton, Gartrell, Hill of Troup, Lockhart, Maddox, McDuffie, Moore of Whitfield, Morris, Poole, Quillian, Sweat, Walker, Wallace, Ward, Williams of Rabun, Wilson, Wynne.

So the motion to postpone the report indefinitely prevailed.

Mr. Harris, from the Committee on Enrollment, reports as duly enrolled and ready for the signature of the President of the Senate,

An act to authorize and require the Treasurer of the State to make certain advances, and for other purposes.

The following message was received from His Excellency the Governor, by Mr. Waters, his Secretary, to-wit :

Mr. President—The Governor has approved and signed the act to change the times of holding the Superior Courts in the county of Bryan.

On motion of Mr. Evans, Messrs. Wallace and Cook were added to the Committee on the Judiciary.

Mr. King, chairman of the Joint Select Committee to whom was referred the special message of His Excellency the Governor, made the following report :

The Joint Select Committee to whom was referred the special message of His Excellency the Governor, has instructed me to report a bill to authorize and require the Governor of the State of Georgia to call a convention of the people of the State, and for other purposes therein mentioned.

The committee having agreed with great unanimity upon a substitute for a bill calling a convention, recommend its passage ; and as the calling of this convention properly disposes of the whole question, all other bills and resolutions submitted to the committee are reported back to the Senate without action, and recommend that they all lie on the table.

The Senate took up, as the report of the Committee of the Whole, a bill to authorize and require the Governor of the State of Georgia to call a convention of the people of Georgia, and for other purposes therein named.

The Joint Select Committee to whom said bill was referred, offered the following bill as a substitute in lieu of the original bill, to-wit : a bill to authorize and require the Governor of the State of Georgia to call a convention of the people of this State, and for other purposes therein mentioned.

Mr. Cannon moved to amend the amendment by striking out in the first section the words "20th December, 1860," and inserting in lieu thereof the words "first Wednesday in January, 1861," and by striking out the word "9th," and inserting in lieu thereof the word "16th;" which was agreed to.

The substitute was then adopted in lieu of the original bill.

The report as amended was agreed to. The bill was read the third time, and passed.

The following message was received from the House of Representatives by Mr. Hillyer, their Clerk :

Mr. President—The House of Representatives has passed the following bills, to-wit :

A bill to extend aid to the Oglethorpe Medical College.

A bill to appropriate money for the support of the Georgia Academy for the Blind.

A bill to incorporate the town of Trenton, in the county of Dade, to appoint commissioners, and to point out the mode of electing the same, and other officers of said town, and to confer certain powers on the commissioners.

A bill to incorporate Bear Creek Academy, in Henry county.

A bill to amend an act to incorporate the Bainbridge Volunteers, &c.

A bill to incorporate Mulberry Camp Ground, in Gwinnett county.

A bill to incorporate Pine Grove Lodge No. 177 of Free and Accepted Masons.

Mr. Alexander introduced a bill to define the line between the counties of Milton and DeKalb; which was read the first time.

Mr. Fulton introduced a bill to authorize three commissioners, appointed by the State, to contract with some responsible company to erect an armory in this State; which was read the first time.

Mr. Bond introduced a bill to compel guardians of free negroes in the county of Walker to have said free negroes reside on the premises of each guardian; which was read the first time.

Mr. Cannon offered the following resolution, which was read :

Resolved, That the Senate and House Judiciary Committees form a joint committee, to whom all matters relating to the codification of the laws of Georgia shall be referred, with instructions to report as early as convenient on said codification, and the mode of disposing of the same.

Mr. Cowen introduced a bill to change the county line

between the counties of Forsyth and Milton; which was read the first time.

Mr. Evans introduced a bill for the relief of securities upon the bonds of county officers in this State, and for other purposes; which was read the first time.

Mr. Hart introduced a bill to amend the patrol laws of the State, so far as relates to the county of Bryan; which was read the first time.

Mr. Harris of Dougherty introduced a bill to alter and amend an act entitled an act to alter and amend the patrol laws of this State, approved February 20th, 1854, so far as relates to the county of Dougherty; which was read the first time.

Mr. Harvin introduced a bill to authorize the Inferior Court of Calhoun county to pay certain monies; which was read the first time.

Mr. Holt introduced a bill to change the time of holding the Superior Courts of Muscogee county; which was read the first time.

Mr. Hyde introduced a bill to protect the owners of stock; which was read the first time.

Mr. Kirby introduced a bill to provide for the survey of lands claimed as exempt under the statute assented to Dec. 11th, 1841, and for other purposes; which was read the first time.

Also, a bill to incorporate the town of Summerville, and extend the limits of the same; which was read the first time.

Also, a bill amendatory of the laws in relation to the trial of cases of illegality to executions issued from Justices' Courts; which was read the first time.

Mr. Lawton introduced a bill to authorize the Justices of the Inferior Court of Chatham county to levy and collect an extraordinary tax for the building of a new jail, and for other purposes; which was read the first time.

Mr. Lenoir introduced a bill to define the manner in which teachers of poor children must proceed to procure their pay who have not returned, or who may hereafter fail to return, their accounts to the Ordinary according to law; which was read the first time.

Mr. Maddox introduced a bill to authorize Stephen McCall, executor of the last will and testament of Joseph Lowther, to settle with the legatees; which was read the first time.

Mr. McLeod introduced a bill to repeal an act entitled an act to abolish imprisonment for debt on certain conditions herein set forth; which was read the first time.

Mr. McRae introduced a bill to repeal an act entitled an act to alter and amend the road laws of this State, so far as relates to the county of Montgomery, assented to 19th Dec. 1840: which was read the first time.

Mr. Moore of Whitfield introduced a bill to alter the line between the counties of Walker and Whitfield ; which was read the first time.

Mr. Morris introduced a bill to authorize the Inferior Court of Franklin county to assess an additional tax for the support of the poor of said county ; which was read the first time.

Also, a bill requiring the clerk of the Court of Ordinary to advertise all applications for letters of administration, at the court house door, thirty days before granting such letters ; which was read the first time.

Mr. Merrill introduced a bill for the more speedy distribution of estates in the hands of executors, administrators and guardians ; which was read the first time.

Mr. Poole introduced a bill for the relief of Hall county ; which was read the first time.

Also, a bill to lay out a new county from the counties of Hall and Gwinnett ; which was read the first time.

The following message was received from the House of Representatives, by Mr. Hillyer, their Clerk :

Mr. President—The House of Representatives have passed the following bill, to-wit :

A bill to appoint three Trustees for the Georgia Institution for the Deaf and Dumb.

Which I am directed to transmit forthwith to this branch of the General Assembly.

Mr. Printup introduced a bill to establish a military board for the State of Georgia ; which was read the first time.

On motion of Mr. Printup, one hundred and fifty copies of the same were ordered to be printed for the use of the Senate.

Mr. Smith of Talbot introduced a bill to amend the 12th Section of the 13th Division of the Penal Code ; which was read the first time.

Mr. Wallace introduced a bill to aid in carrying out the bastardy laws of this State ; which was read the first time.

Mr. Wellborn introduced a bill for the benefit of the McDuffie Rifles, a volunteer company in Warren county ; which was read the first time.

The Senate took up, as the report of the Committee of the Whole, a bill for the relief of Mary Wray, of the county of Richmond.

The report was agreed to. The bill was read the third time and passed.

Leave of absence was granted Messrs. Kirby, Trippe, McGehee, Hill of Wilkes, Brown, and Sawyer, for a few days on special business.

On motion, the Senate adjourned until 10 o'clock Monday morning.

MONDAY, NOVEMBER 19th, 1860. }

10 O'CLOCK, A.M. }

Senate met according to adjournment, and was opened with prayer by the Rev. Mr. Evans.

Leave of absence was granted Messrs. Cooper, Maples, and Evans, for a few days, on special business.

The Senate took up, as the report of the Committee of the Whole, a bill to amend an Act entitled An Act to change the time of holding the elections for county officers, Judges of the Superior Courts, Attorneys and Solicitors General, (except Ordinaries,) in this State, passed December 16th, 1859.

The report was agreed to, the bill was read the third time, and passed.

The Senate took up, as the report of the Committee of the Whole, a bill to incorporate the town of Valdosta.

The report was agreed to, the bill was read the third time, and passed.

The Senate took up, as the report of the Committee of the Whole, a bill to change the law in regard to taking depositions in Justices' Courts.

The report was agreed to, the bill was read the third time, and passed.

The Senate took up, as the report of the Committee of the Whole, a bill to add the county of Chattahoochee to the Chattahoochee Circuit.

The report was agreed to. The bill was read the third time and passed.

The Senate took up, as the report of the Committee of the Whole, a bill for legalizing the holdings of Quitman and Chattahoochee Superior Courts.

The report was agreed to. The bill was read the third time and passed.

The Senate took up, as the report of the Committee of the Whole, a bill to authorize the legal representatives of intestates and testators of other States to sue in this State.

The report was agreed to. The bill was read the third time and passed.

The Senate took up, as the report of the Committee of the Whole, a bill to give to Clerks of Superior Courts time to make out copies of bills in equity, and time to Sheriffs to serve the same.

On motion, the same was referred to the Committee on the Judiciary.

The Senate took up, as the report of the Committee of the Whole, a bill to ratify and make valid the ordinances and resolutions of the Mayor and Council of the city of

Columbus in reference to any subscription heretofore made, or which may hereafter be made, by said Mayor and Council, to the stock of the Opelika & Talladega Rail Road Company.

The report was agreed to. The bill was read the third time and passed.

The Senate took up, as the report of the Committee of the Whole, a bill to alter and change the name of the Thomaston & Barnesville Rail Road Company to that of the Upson county Rail Road Company, to incorporate the same, and for other purposes.

The report was agreed to. The bill was read the third time and passed.

The Senate took up, as the report of the Committee of the Whole, a bill to legalize the executorship of Thomas W. Anderson, and for other purposes.

On motion, the same was referred to the Committee on the Judiciary.

The Senate took up, as the report of the Committee of the Whole, a bill to incorporate the Union Loan and Building Association in the city of Atlanta.

The report was agreed to. The bill was read the third time and passed.

The Senate took up, as the report of the Committee of the Whole, a bill to change the line between the counties of Pierce and Wayne.

The report was agreed to, the bill was read the third time and passed.

The Senate took up, as the report of the Committee of the Whole, a bill to prevent the peddling of spirituous liquors in the county of Worth.

Mr. Lenoir moved to amend the report by extending the provisions of this bill to each county in this State, which was agreed to.

The report as amended was agreed to, the bill was read the third time, and passed.

The Senate took up, as the report of the Committee of the Whole, a bill to repeal so much of an Act entitled An Act to levy a tax on all goods peddled in this State, or sales by sample or otherwise by itinerant drummers or, other persons, and for other purposes, as prohibits the peddling on tobacco without license in this State, approved Dec. 15th, 1859.

Mr. Harris, of Worth, moved to postpone indefinitely the same, which was lost.

On motion of Mr. Holt, the bill was referred to the Committee on the Judiciary.

The Senate took up, as the report of the Committee of the Whole, a bill to incorporate the Dawson Turnpike Road Company.

Mr. Riley moved to amend the report by adding the following proviso:

Provided said Company shall comply with the provisions of this charter within two years from the time this Act takes effect; which was agreed to.

Mr. Hyde moved further to amend the report by adding the following proviso:

Provided that the Legislature hereby reserves the right to alter, modify or change the corporate rights and privileges hereby granted, at pleasure; which was agreed to.

The report as amended was agreed to, the bill was read the third time, and passed.

The Senate took up, as the report of the Committee of the Whole, a bill to alter the time of holding the election of Receivers of Tax Returns and Tax Collectors in this State, and for other purposes.

Mr. Hood moved to amend the report by excepting the county of Harris from the provisions of the bill; which was lost.

Mr. Allred moved to indefinitely postpone the bill.

Upon agreeing to which motion, Mr. Allred required the yeas and nays, which, being recorded, were,

Yeas, 28. Nays, 73.

Those who voted in the affirmative are Messrs.

Allred, Atkinson, Barclay, Cone, Davis, Denham, Gaston, Grice, Hitchcock, Hood, Hyde, Ivey, Jamison, Lockhart, Merrill, McRae, Poole, Quillian, Reid of Taliaferro, Riley, Roberts, Seward, Sheppard, Snell, Sweat, Tarver, Walker, Wilson.

Those who voted in the negative, are Messrs.

Alexander, Ashley, Barrow, Batts, Boggs, Bond, Burnett, Byars, Cannon, Carter of Elbert, Chester, Cloud, Collier, Cook, Cowen, Delaperriere, Donaldson, Duncan, Evans, Flewellen, Fulton, Gartrell, Green, Griffin of Brooks, Hart, Harris of Dougherty, Harris of Worth, Harvin, Hightower, Hill of Troup, Hill of Wilkes, Holt, Johnson of Clayton, Johnson of Cass, Jones, King, Lamar, Lawton, Lenoir, Maddox, McLeod, Moore of Laurens, Moore of Whitfield, Morris, Oliver, Printup, Pruitt, Robinson, Rushin, Shellput, Sirman, Smith of Hancock, Smith of Talbot, Spalding, Stowers, Summerour, Tillman, Turner, Tracy, Trippe, Usry, Wallace, Ward, Ware, Wellborn, Wells, White, Whitworth, Williams of Berrien, Williams of Rabun, Williams of Terrell, Wynne, Young.

So the motion to postpone indefinitely was lost.

Mr. Gartrell moved to amend the report by striking out the words "Monday or" in the 1st section of said bill; which was agreed to.

The report as amended was then agreed to, and, upon the question "shall this bill now pass?" Mr. Cone required the yeas and nays, which, being recorded, were,

Yeas, 72. Nays, 28.

Those who voted in the affirmative, are Messrs.

Alexander, Ashley, Barrow, Batts, Bond, Burnett, Byars, Cannon, Carter of Elbert, Chester, Cloud, Collier, Cook, Cowen, Delaperriere, Donaldson, Duncan, Evans, Flewellen, Fulton, Gartrell, Green, Griffin of Brooks, Hart, Harris of Dougherty, Harris of Worth, Harvin, Hightower, Hill of Troup, Hill of Wilkes, Holt, Johnson of Clayton, Johnson of Cass, Jones, King, Lamar, Lawton, Lenoir, Maddox, McLeod, Moore of Laurens, Moore of Whitfield, Morris, Oliver, Printup, Pruitt, Robinson, Rushin, Shellnut, Sirman, Smith of Hancock, Smith of Talbot, Spalding, Stowers, Summerour, Tillman, Turner, Tracy, Trippe, Usry, Wallace, Ward, Ware, Wellborn, Wells, White, Whitworth, Williams of Berrien, Williams of Rabun, Williams of Terrell, Wynne, Young.

Those who voted in the negative, are Messrs.

Allred, Atkinson, Barclay, Cone, Davis, Denham, Gaston, Grice, Hitchcock, Hood, Hyde, Ivey, Jamison, Lockhart, Merrill, McRae, Poole, Quillian, Reid of Taliaferro, Riley, Roberts, Seward, Sheppard, Snell, Sweat, Tarver, Walker, Wilson.

So the bill was passed.

The Senate took up, as the report of the Committee of the Whole, a bill for the relief of J. M. Bivins Van Marcus, and R. L. Mott.

Mr. Wallace moved to amend the report by adding the following as an additional section:

Be it further enacted, That, if there are any insolvent criminal costs due the present or any former Sheriff, or the present or any former Clerk of the Superior Court of said county of Muscogee, or the present or any former Solicitor General of the Chattahoochee Circuit, from said county, then and in that event said officers shall be entitled to receive from the County Treasurer the usual amounts thus due, unless the same shall exceed the amount of said bond. In case the amount thus due shall exceed the amount of said bond, then each of said officers shall be, and they are, hereby entitled to receive from said Treasurer the full

amount of said bond, to be paid to each of said officers in proportion to the amount due.

Be it further enacted, That, if there is a deficiency of money in the hands of the Treasurer to pay said amounts to each of said officers, then it shall be the duty of the Inferior Court of said county to assess an extra tax for that purpose.

Upon agreeing to which motion, the yeas and nays were recorded, and were, yeas, 35; nays, 52.

Those who voted in the affirmative are Messrs.

Byars, Cannon, Carter of Elbert, Cook, Cone, Cowen, Davis, Delaperriere, Denham, Donaldson, Gartrell, Gaston, Grice, Griffin of Brooks, Harris of Dougherty, Hightower, Hill of Wilkes, Hyde, Ivey, Jones, Merrill, McKae, Robinson, Roberts, Smith of Talbot, Snell, Summerour, Tarver, Usry, Walker, Wallace, White, Whitworth, Williams of Berrien, Williams of Rabun.

Those who voted in the negative are Messrs.

Alexander, Allred, Barclay, Batts, Boggs, Chester, Duncan, Evans, Flewellen, Hart, Harris of Worth, Harvin, Hill of Troup, Hitchcock, Holt, Hood, Johnson of Clayton, Johnson of Cass, Lamar, Lawton, Lenoir, Lockhart, McLeod, Moore of Laurens, Moore of Whitfield, Morris, Oliver, Paine, Poole, Printup, Quillian, Riley, Rushin, Seward, Shellnut, Sheppard, Sirman, Smith of Hancock, Spalding, Stowers, Sweat, Tillman, Turner, Tracy, Trippe, Ward, Ware, Wells, Williams of Terrell, Wilson, Wynne, Young.

So the amendment was lost.

The report was agreed to. Upon the question, "shall this bill now pass?" the yeas and nays, being recorded, were, yeas, 48; nays, 41.

Those who voted in the affirmative are Messrs.

Atkinson, Boggs, Bond, Chester, Davison, Delaperriere, Duncan, Evans, Flewellen, Gartrell, Harris of Worth, Harvin, Hill of Troup, Holt, Hood, Hyde, Jamison, Johnson of Clayton, Johnson of Cass, Lawton, McLeod, Moore of Laurens, Moore of Whitfield, Morris, Paine, Poole, Printup, Riley, Roberts, Rushin, Seward, Shellnut, Sirman, Smith of Hancock, Spalding, Summerour, Sweat, Tarver, Tillman, Turner, Tracy, Trippe, Usry, Ward, Ware, Wells, Wilson, Wynne.

Those who voted in the negative are Messrs.

Allred, Barclay, Batts, Byars, Cannon, Carter of Elbert, Cook, Cone, Cowen, Davis, Denham, Donaldson, Gaston, Green, Grice, Griffin of Brooks, Hart, Harris of Dougherty

Hightower, Hill of Wilkes, Hitchcock, Ivey, Jones, Lamar, Lenoir, Lockhart, Lott, Merrill, Oliver, Reid of Taliaferro, Robinson, Smith of Talbot, Stowers, Walker, Wallace, White, Whitworth, Williams of Berrien, Williams of Rabun, Williams of Terrell, Young.

So the bill was passed.

The Senate took up, as the report of the Committee of the Whole, a bill to change the line between the counties of Union and Fannin.

Mr. Ivey moved to amend the report by adding an additional section; which was agreed to.

The report as amended was agreed to, the bill was read the third time, and passed.

The Senate took up, as the report of the Committee of the Whole, a bill to compel all persons having temporary residence in the county of Emanuel to give in and pay tax on all the property owned by them in said county.

The report was not agreed to, and the bill was lost.

The Senate took up, as the report of the Committee of the Whole, a bill to compensate officers and freeholders for their services for holding the general elections and county elections, and petit-jurors in the county of Emanuel.

The report was agreed to. The bill was read the third time and passed.

The Senate took up, as the report of the Committee of the Whole, a bill to exempt from jury duty all practising physicians in the county of Emanuel.

The report was agreed to. The bill was read the third time and passed.

The Senate took up, as the report of the Committee of the Whole, a bill to prevent persons from peddling spirituous liquors in the county of Emanuel.

On motion the same was indefinitely postponed.

The Senate took up, as the report of the Committee of the Whole, a bill to authorize the counties of Walker and Chattooga to aid in the construction of the Cossa and Chattooga River Rail Road.

The report was agreed to, the bill was read the third time, and passed.

The Senate took up, as the report of the Committee of the Whole, a bill to incorporate the Alabama Planters' Steamboat Company.

The report was agreed to, the bill was read the third time, and passed.

The Senate took up, as the report of the Committee of the Whole, a bill to provide for the distribution and disbursement of the common school fund to which the county of Gilmer is or may be entitled under and by virtue of an Act passed on the eleventh day of December, 1858, and for other purposes therein mentioned.

Mr. Hyde moved to amend the report by extending the provisions of this bill to the county of Fannin; which was agreed to.

The report as amended was agreed to. The bill was read the third time, and passed.

The Senate took up, as the report of the Committee of the Whole, a bill for the relief of James Parker, of Marion county.

The report was agreed to, the bill was read the third time, and passed.

The Senate took up, as the report of the Committee of the Whole, a bill to prevent and punish camp-hunting in Burke county by non-residents.

The report was agreed to, the bill was read the third time, and passed.

The Senate took up, as the report of the Committee of the Whole, a bill to amend an Act entitled An Act to authorize the Thomaston & Barnesville Rail Road Company to construct and extend their railroad to some point on the railroad of the Muscogee Rail Road Company, and for other purposes therein mentioned.

The report was agreed to, the bill was read the third time, and passed.

On motion, the Senate adjourned until 9 o'clock to-morrow morning.

TUESDAY, NOVEMBER 20TH, 1860.

9 o'clock, A. M.

Senate met according to adjournment, Hon. John Billups, President *pro tem.* in the Chair, and was opened with prayer by Rev. Mr. Scott.

Mr. Smith of Talbot moved to reconsider so much of the Journal of yesterday as relates to the vote by which a bill to alter and change the name of the Thomaston and Barnesville Rail Road Company to that of the Upson coun-

ty Rail Road Company, was passed; which was agreed to.

Mr. Hyde moved to reconsider so much of the Journal of yesterday as relates to the vote by which a bill to prevent the peddling of spirituous liquors was passed; which was agreed to.

Mr. McLeod moved to reconsider so much of the Journal of yesterday as relates to the vote by which a bill to compel all persons having temporary residences in the county of Emanuel, to give in and pay tax on all the property owned by them in said county, was lost; which was agreed to.

Leave of absence was granted Messrs. Lockhart, Wellborn, Turner and Carter of Elbert, for a few days on special business.

Mr. Ward presented the proceedings of a meeting of the citizens of Greene county relative to our Federal Relations; which was read.

On motion of Mr. Harris of Worth the rules were suspended, and the Senate took up the following bill, which was read the second time and referred to the Committee of the Whole, to-wit:

A bill to provide for the removal of the public buildings in the county of Clinch, and for other purposes.

Mr. Gartrell presented the proceedings of a meeting of the citizens of Cobb county, relative to our Federal relations, which was read.

The following Message was received from the House of Representatives, by Mr. Hillyer, their Clerk:

Mr. President: The House of Representatives have passed the following bills, to-wit:

A bill to confer upon the several Inferior Courts in this State power to establish, change or abolish any election precinct or precincts within the same.

A bill to amend an Act entitled an Act to amend an Act to incorporate the Columbus Savings and Mutual Loan Association.

A bill to amend an Act organizing the Independent Volunteer Battalion of Augusta; approved March 3d, 1856.

A bill to exempt Physicians from jury duty, and to pay jurors in the counties of Jasper, Dade, Laurens, and Monroe,

A bill to amend the charter of the South-Western Rail Road Company, and to authorize a further increase of the capital stock of said Company, and to grant to said Company banking powers and privileges.

Mr. Alexander introduced a bill to change the line between the counties of DeKalb and Gwinnett; which was read the first time.

Mr. Boggs offered the following resolution, which was read.

Resolved, That Mr. Ware, Senator from Polk county, be added to the Committee on Asylum for Deaf and Dumb.

Mr. Chester introduced a bill to alter and amend the road laws of the county of Decatur; which was read the first time. Also

A bill to compensate justices of the Peace, in the county of Decatur for taking list of poor children; which was read the first time.

Mr. Harris of Worth introduced a bill for the relief of William J. Ammons, Sarah Ammons, alias Sarah Wheeler, and for other purposes; which was read the first time. Also,

A bill for the relief of Smith Campbell, late of the county of Worth, now of Butts county; which was read the first time.

Mr. Collier introduced a bill to authorize the levy and sale of judgments and executions of non-residents of this State; which was read the first time.

Mr. Cone offered the following resolution; which was taken up, read and agreed to.

Resolved, by the Senate, That the Senator from McIntosh be, and he is added to the Military Committee.

Mr. Cowen introduced a bill to discharge William Rogers, of the county of Milton, from the trusteeship of the property of Mrs. Ann C. Lenoir and her children, and for other purposes; which was read the first time.

Mr. Delaperriere presented a memorial of J. J. Flournoy, which was referred to the Committee on the Judiciary.

Mr. Hill of Troup introduced a bill for the relief of James H. Erwin; which was read the first time.

Mr. Hill of Wilkes offered the following resolution which was read:

Resolved, That from and after the passage of this resolution the hours of meeting and adjourning of the Senate shall be 9 o'clock, A. M., and adjourn at 1 o'clock, P. M., meet at 3 o'clock, P. M., and adjourn at 5 o'clock, until otherwise ordered by the Senate.

The following Message was received from the House of Representatives, by Mr. Campbell, their Clerk *pro tem*.

Mr. President: I am directed by the House of Representatives to inform the Senate that the House has granted leave of absence to Mr. Hillver, their Clerk, until to-morrow, and that they have appointed Charles G. Campbell, Esq., of the county of Decatur, their Clerk *pro tem*, during his absence.

They have also passed the following Senate bill, to-wit:

A bill to authorize and require the Governor of the State of Georgia to call a Convention of the people of this State, and for other purposes therein mentioned.

Mr. Holt introduced a bill to regulate the admission of evidence; which was read the first time. Also,

A bill in relation to Receivers, Injunctions, &c.; which was read the first time. Also,

A bill to incorporate the Georgia Insurance Company; which was read the first time.

Mr. Johnson of Clayton introduced a bill to authorize a general suspension of the collection by law of any and all judgments and executions; which was read the first time.

Mr. Jones introduced a bill to lay out a new county from the counties of Newton and DeKalb; which was read the first time.

Mr. Jordan introduced a bill to abolish the usury law now of force in this State, so far as relates to promises in writing, when the rate of interest is expressed in the written promise to pay; which was read the first time.

Mr. King introduced a bill to facilitate the construction of the Macon and Brunswick Rail Road; which was read the first time.

Mr. Lawton introduced a bill to authorize guardians, &c., to invest in the bonds of the city of Savannah; which was read the first time.

Mr. Merrill introduced a bill to change the line between the counties of Harralson and Carroll; which was read the first time.

Mr. McLeod introduced a bill to regulate the measuring of timber in the city of Darien; which was read the first time.

Mr. Moore of Whitfield introduced a bill to add a section to the tenth Division of the Penal Code; which was read the first time. Also,

A bill to amend the several Acts incorporating the city of Dalton; which was read the first time.

Mr. Paine introduced a bill to compel Road Commissioners in the several Districts in this State where there are no Justices of the Peace, to make returns of persons liable to pay taxes; which was read the first time.

Mr. Printup introduced a bill to incorporate the Rome Gas Light Company; which was read the first time. Also,

A bill to amend an Act entitled an Act to incorporate the Georgia and Alabama Rail Road Company; which was read the first time.

Mr. Riley introduced a bill to amend the third section of the first article of the Constitution of this State; which was read the first time.

Mr. Roberts offered the following resolution, which was read :

Resolved, That the Legislature of Georgia do adjourn on Friday, the 23d inst., and meet on Monday, the 28th of January, eighteen hundred and sixty-one.

Mr. Seward introduced a bill to incorporate the Young's Female College, in the county of Thomas; which was read the first time.

Mr. Tarver introduced a bill to change the form of the oath of tax-payers in this State; which was read the first time.

Mr. Tracy introduced a bill to amend the several Acts relating to the South Western Rail Road Company, and for other purposes; which was read the first time. Also,

A bill to incorporate the Excelsior Mining Company of Georgia; which was read the first time.

Mr. Usry introduced a bill to repeal so much of an Act entitled an Act to amend the foregoing, approved December 6th, 1806, as prevents the offending party in cases of absolute divorce from marrying, and to amend the same; which was read the first time.

Mr. Wells introduced a bill to change the times of holding the Superior Courts of the counties of Washington and Putnam, and to add the county of Washington to the Ocmulgee Judicial Circuit; which was read the first time.

Mr. White introduced a bill to incorporate the Methodist Episcopal Church and Camp Ground, and for other purposes, in the county of Walton; which was read the first time.

Mr. Whitehurst introduced a bill for the relief of Mrs. Emily E. Grantham, of Cobb county; which was read the first time.

Mr. Wilson introduced a bill to accomplish more effectually the objects of the Patrol laws; which was read the first time.

Mr. Barclay offered a series of resolutions relative to our Federal Relations, which were read.

Mr. Fulton offered the following resolution, which was taken up, read and agreed to :

Resolved, That Maj. Benj. McCulloch of Texas, be tendered a seat on the floor of the Senate during his stay in Milledgeville.

Mr. Ferrill introduced a bill to incorporate Griffin fire company No. 1, and for other purposes therein mentioned; which was read the first time.

Mr. Lawton, Chairman of the Committee on the Judiciary made the following report, to-wit :

The Judiciary Committee beg leave to report, that they have had under consideration the following bills, which were referred by the Senate, to-wit :

A bill to be entitled An Act to repeal An Act entitled An Act to levy a tax on all goods peddled in this State; or sales by sample or otherwise, by itinerant drummers or other persons, and for other purposes, assented to Dec. 15th, 1859.

They report this bill back to the Senate, and recommend its passage.

A bill to be entitled An Act to amend an Act entitled An Act to change and simplify the practice and pleadings in this State, to provide for the service of writs of *scire facias*, in certain cases, and to regulate the admission of testimony, in certain cases, assented to Feb'y 20th, 1854, and for other purposes therein named.

And they recommend that the same do pass.

Also, a bill to be entitled An Act to exempt from seizure and sale the lifetime estate of any widow or widows in this State.

And they recommend that this bill do not pass.

Also, a bill to be entitled An Act to amend the thirty-first section of the attachment law of this State, assented to 4th March, 1856.

And they recommend that the same do pass. Also,

A bill to be entitled An Act to provide for the trial of causes in the Superior Courts of this State, where the Judge presiding in such Courts, shall be incompetent to try the same under existing laws.

And they recommend that this bill do pass. Also,

A bill to be entitled An Act to require in all cases the names of secret prosecutors to be endorsed upon the bills of indictments and presentments of Grand Juries, so far as the same relates to the county of Hall.

And they report this bill back, and recommend that it do not pass. Also,

A bill to be entitled An Act, to authorize and prescribe the mode of controverting the answer to certioraris, and to try issues made thereupon, and for other purposes.

And they recommend that the same do pass. Also,

A bill to be entitled An Act to give to Clerks of Superior Courts time to make out copies of bills in Equity, and time to Sheriffs, to serve the same.

And they recommend that the same do pass. Also,

A bill to be entitled An Act, to rid the State of Georgia of free persons of color, and for other purposes therein named.

The committee report this bill back to the Senate, and ask to be excused from making a report upon the same. Also,

A bill to be entitled An Act, to approve, adopt, and make of force in the State of Georgia, a revised Code of Laws pre-

pared under the direction, and by authority of the General Assembly thereof, and for other purposes therewith connected.

And they report this back, and recommend its passage. Also,

A bill to be entitled An Act to repeal so much of An Act entitled An Act to levy a tax on all goods peddled in this State or sales by sample or otherwise by itinerant drummers or other persons, and for other purposes, as prohibits the peddling on tobacco, without license in this State, approved Dec. 15th, 1859.

And they report this bill back to the Senate, and ask to be excused from making a report upon the same. Also,

A bill to be entitled An Act to amend An Act entitled An Act, to simplify and curtail pleadings at law, approved 27th Dec. 1847.

And they recommend that this bill do pass. Also,

A bill to be entitled An Act, to legalize the executorship of Thomas W. Anderson, and for other purposes.

And they report this bill back to the Senate with an amendment and recommend its passage. Also,

A bill to be entitled An Act to empower Mrs. Elizabeth Lowther a widow of Jones county, to appoint Americus C. B. Mitchell, of Barbour county, Alabama, and Tennent Lomax, of Montgomery county of the same State, or either of them, her executors or executor, and to entitle them or either of them to granted letters testamentary on her will, and to act thereunder in the same manner as if they were residents of Georgia.

And they report this bill back to the Senate with an amendment, and recommend its passage. Also,

A bill to be entitled An Act to change the manner of electing or appointing the Judges of the Superior Courts of this State.

And they report this bill back to the Senate with a substitute, and recommend that the substitute do pass.

Mr. Fulton moved that when the Senate adjourn, it meet again at 3 o'clock, P. M.

Which was agreed to.

The Senate took up as the report of the committee of the whole,

A bill to amend An Act entitled An Act to simplify and curtail pleadings at law.

The Committee on the Judiciary to whom said bill was referred, reported in favor of its passage.

The report was agreed to. The bill was read the third time and passed.

The Senate took up as the report of the committee of the whole,

A bill to authorize and prescribe the mode of controverting answers to certioraris, and for other purposes.

The committee on the Judiciary to whom said bill was referred, reported in favor of its passage.

The report was agreed to. The bill was read the third time and passed.

The Senate took up as the report of the committee of the whole,

A bill to repeal so much of An Act, entitled An Act to levy a tax on all goods peddled in this State, or sales by sample or otherwise by itinerant drummers or other persons, and for other purposes, assented to, Dec. 15th, 1859.

The committee on the Judiciary, to whom said bill was referred, reported in favor of its passage.

The report was agreed to. The bill was read the third time and passed.

The Senate took up as the report of the committee of the whole,

A bill to amend An Act to change and simplify the practice and pleadings in this State, and for other purposes.

The committee on the Judiciary to whom was this bill was referred, reported in favor of its passage.

The report was agreed to. The bill was read the third time and passed.

The Senate took up as the report of the committee of the whole,

A bill to impower Mrs. Elizabeth Lowther, a widow of Jones county, to appoint Americus C. B. Mitchell, of Barbour county, Alabama, and Tennent Lomax, of Montgomery county, or either of them, her executors and entitle them to have letters testamentary granted.

The committee on the Judiciary, to whom said bill was referred, moved to amend the report, by adding a proviso to said bill, which was agreed to.

The report as amended was agreed to. The bill was read the third time and passed.

The following message was received from His Excellency the Governor, by Mr Waters, his Secretary, to-wit:

Mr. President: I am directed by His Excellency the Governor, to deliver to the Senate a special message relative to the election of Electors for President and Vice President of the United States.

On motion of Mr. Harris, of Worth, the rules were suspended, and the following message from His Excellency the Governor, was taken up and read, and made the special order for Wednesday, 21st inst.

EXECUTIVE DEPARTMENT, }
 MILLEDGEVILLE, GA., Nov. 20th, 1860. }

To the General Assembly :

The official returns of the election for Electors to cast the vote of this State for President and Vice President of the United States, held on the sixth day of this month, have been received at this office, from all the counties of State, except the county of Tattnall, whose vote could not change the result.

I have caused these returns to be consolidated and added together, and find that no one of the tickets, nor any individual upon any one of the tickets run, received a majority of all the votes cast at said election. The Act of 23d December, 1843, provides in such case, that the General Assembly shall proceed, by joint ballot, to the election of Electors for President and Vice President of the United States.

It is now ascertained that the Black Republican party has triumphed over us, and has elected its candidates for President and Vice President. The vote of Georgia cannot, therefore, change or effect the final result. In this crisis unanimity of sentiment among the people of this State is greatly to be desired, and bitterness of party strife is greatly to be deprecated. It is a question therefore, worthy the consideration of the General Assembly, whether harmony would not be promoted, and party strifes allayed, by a refusal on the part of the General Assembly to enter into an election, which can have no practical effect, nor in any way promote the interest of the State.

I am informed that the health of the Hon. Charles J. McDonald, one of the persons voted for as Elector, who received the highest vote of any person in the State, is so feeble that he could not attend and cast the vote, if elected. I am requested, therefore, in case an election is held, to say to the General Assembly, that he does not desire his name used. When I express my deep regret, that the heavy hand of affliction should have fallen upon Gov McDonald, the noble citizen, the tried patriot, and the able statesman, who has served Georgia so long and so faithfully, I doubt not the sentiment meets a warm response in the bosom of every patriotic son of Georgia.

JOSEPH E. BROWN.

Mr. Collier, chairman of the committee on Banks made the following report.

Mr. President : The committee on Banks have had under consideration a bill to be entitled An Act to grant relief to the people of this State, and to repeal certain clauses of the

Act of 1857, providing for the forfeiture of Bank Charters, and for other purposes, and have directed me to report the same back to the Senate with a substitute for said bill, and recommend that the substitute do pass.

They have also had under their consideration a bill to be entitled An Act to incorporate a Bank in the town of Lafayette, to called the Bank of Lafayette, and have directed me to report the same back to the Senate with an amendment and recommend that it do pass.

JOHN COLLIER, Chairman,

The Senate took up as the report of the committee of the whole,

A bill for the relief of the people of this State, and to repeal certain clauses of the Act of 1857, in relation to Bank Charters.

The committee on Banks to whom this bill was referred offered the following bill as a substitute in lieu of the original bill to-wit :

A bill to grant relief to the people of this State, and to repeal certain clauses of an act entitled an act to provide against the forfeiture of the several Bank Charters in this State on account of the non-specie-payment for a given time, and for other purposes passed in the year 1857, and to suspend the pains and penalties imposed upon the several Banks in this State, and for other purposes.

Mr. Collier moved to amend the report by adding an additional section.

Which was agreed to.

Mr. Seward moved further to amend the report, by inserting in the caption of said bill at the proper place, the words, "the banks and."

Which was agreed to.

On motion of Mr. Moore, of Whitfield, the same was made the special order for Thursday 22d inst., and one hundred and fifty copies ordered to be printed for use of the Senate.

The Senate took up as the report of the Committee of the Whole,

A bill to give to Clerks of the Superior Courts time to make out copies to bills in Equity and time to Sheriffs to serve the same.

The committee on the Judiciary to whom said bill was referred, reported in favor of its passage.

The report was agreed to. The bill was read the third time and passed.

The Senate took up as the report of the committee of the whole,

A bill to legalize the Executorship of Thomas W Anderson, and for other purposes.

The committee on the Judiciary to whom this bill was referred moved to amend the same by adding a proviso to said bill, which was agreed to.

The report as amended was agreed to, the bill was read the third time and passed.

The Senate took up as the report of the committee of the whole,

A bill to amend the 31st section of the attachment law of this State, approved 4th March, 1856.

The committee on the Judiciary to whom said bill was referred, reported in favor of its passage.

The report was agreed to. The bill was read the third time and passed.

The Senate took up as the report of the Committee of the Whole, a bill to exempt from levy and sale the life time estate of widows.

The Committee on the Judiciary, to whom this bill was referred, reported adverse to its passage. The report was agreed to and the bill was lost.

Mr. Harris, of Dougherty, from the committee on Enrollment, reports as duly enrolled, and ready for the signature of the President of the Senate,

An Act to authorize and require the Governor of the State of Georgia to call a Convention of the people of this State, and for other purposes therein mentioned.

Mr. Harris, of Dougherty, offered the following resolution, which was taken up, read and agreed to :

Resolved, That the Secretary of the Senate be authorised to appoint six additional clerks in the engrossing department.

On motion the Senate adjourned until 3 o'clock, P M.

THREE O'CLOCK, P. M.

The Senate met according to adjournment, Hon. John Bilups, President *pro tem.*, in the Chair.

Leave of absence was granted Mr. Harvin for a few days, on special business.

Mr. Ashley presented the proceedings of the citizens of Lowndes county, relative to our Federal relations, which was read.

Leave of absence was granted Mr. Whitehurst for a few days on special business.

Leave of absence was granted Mr. Hitchcock for a few days, on account of sickness of his family.

The Senate took up the following bills, which were severally read the second time, and referred to the Committee of the Whole:

A bill to compel guardians of free negroes in the county of Walker to have said free negroes reside on the premises of such guardian, and for other purposes; also,

A bill to relieve certain citizens of Gilmer county of illegal voting; also,

A bill to be entitled an act to authorise Constables in any militia district in this State, to serve writs, and other process of law, outside of their respective districts, in certain cases; also,

A bill to incorporate Dalton Male and Female Academies, and to appoint Trustees therefor.

A bill for the relief of Mrs. Edwards; also,

A bill to amend an act approved 27th of February, 1856, entitled an act to incorporate Ocmulgee Mills in Butts county, and to increase the capital stock of the same; also,

A bill to change the name of Theodosia Orianna Thompson, and for other purposes; also,

A bill to authorise executors and trustees to invest money of married women in land and negroes; also,

A bill to repeal any and all laws making it penal for carrying concealed weapons: also,

A bill to incorporate the Ammacolah M. E. Church Camp Ground; also,

A bill for the relief of Overton Seago and Eleanor Spier of the county of Dooly; also,

A bill incorporating the town of Grantville; also,

A bill to be entitled an act to incorporate the Wood Hydraulic Hose Gold Mining Company; also,

A bill to be entitled an act to authorise the Commissioners of the town of Waresboro to open the streets, and for other purposes therein mentioned; also,

A bill to repeal an act entitled an act to alter and amend the road laws of this State, so far as relates to the county of Oglethorpe and the several counties herein named, assented to December 13th, 1858, so far as the same relates to the county of Colquitt; also,

A bill to authorise the Inferior Court of Taylor county to levy an extra tax for the purpose of rebuilding the Jail of said county; also,

A bill to suppress the use of intoxicating liquors at elections in the county of Murray; also,

A bill to repeal the first section of an act entitled an act to change the name of _____

county, to that of William Capers Rhodes, and to legitimate the same, and for other purposes therein mentioned, approved Feb. 21, 1850; also,

A bill to incorporate the Georgia Mining Company, in the county of Carroll, and for other purposes therein mentioned; also,

A bill to repeal an act so far as relates to Irwin county, and for other purposes therein mentioned, assented to Dec. 19, 1859; also,

A bill to incorporate the Amaculolah Creek Hydraulic Hose Mining Company of the counties of Dawson and Lumpkin, and for other purposes therein specified; also,

A bill entitled an act to protect the rights and liberties of the people of the State of Georgia; also,

A bill for the relief Mary Ann Stephens, of the county of Henry, and for other purposes; also,

A bill to be entitled an act to change and alter the county lines between the counties of Macon and Dooly; also,

A bill to be entitled an act to repeal an act entitled an act to authorise the Justices of the Inferior Courts of the several counties in this State, to create and lay out any new districts or change and alter the lines of those already laid out, assented to 23d December, 1859, so far as relates to the counties of Habersham and Rabun; also, an act to authorise executors, administrators, guardians, trustees, and other persons having charge of the property of minors, to keep and work the same together in certain cases; also,

A bill to authorise guardians of free persons of color to make returns to the Ordinaries of this State; also,

A bill to add another section to the Penal Code; also,

A bill to incorporate the town of Tallapoosa, in the county of Haralson; also,

A bill to punish persons for obstructing the navigation of Penelton creek, in the county of Tattnall, &c.; also,

A bill to authorise the Board of Education of Butts county, to allow and require the Ordinary of said county to pay to Addison Taliaferro, a teacher of poor children for the year 1857, and T. J. Hammond, a teacher of poor children for the year 1858, out of any money belonging to the poor school fund in said county; also,

A bill to change the lines between Henry and Butts counties; also,

A bill to authorise the Justices of the Inferior Court of Baker county, to pay to the Tax Receiver of said county a per centage for the county tax; also,

A bill to incorporate the Savannah Western and Central Wharf Company; also,

A bill to incorporate Poplar Spring Methodist Episcopal Church in the county of Franklin; also,

A bill to compensate the Sheriff of Banks county for making out venues and summoning jurors: also.

A bill to amend an act preventing and punishing vice, profaneness and immorality, and for keeping holy the Lord's day; also,

A bill to provide for the distribution of the educational fund to each school district in each county in this State in proportion to the number of children in each district; also,

A bill to repeal an act to compel persons non-residents, of the counties of Wayne, Irwin and Wilcox, owning, penning and grazing stock and cattle in said counties to return and pay taxes on the same in said counties, so far as requires non-residents to pay an extra tax in the county of Wilcox, and for other purposes therein mentioned; also,

A bill to amend the patrol laws of this State so far as relates to the county of Bryan; also,

A bill to alter and amend an act to alter and amend the patrol laws of this State, approved Feb. 20th, 1854, so far as relates to the county of Dougherty; also,

A bill to authorise the Ordinary Court of Calhoun county to pay certain moneys; also,

A bill to change the times of holding Superior Courts of Muscogee county; also,

A bill to protect the owners of stock in this State; also,

A bill to provide for the survey of lands claimed as exempt under the statute assented to Dec. 11th, 1841, and for other purposes; also,

A bill to incorporate the town of Summerville, extend the limits of the same, and for other purposes therein mentioned. Also,

A bill amending the laws in relation to the trial of cases of illegality in executions issued from Justice Courts. Also,

A bill to authorize the Justices of the Inferior Court of Chatham county, to levy and collect an extraordinary tax for the building of a new jail for said county, and for other purposes. Also,

A bill to define the manner in which teachers of poor children must proceed to procure their pay who have not returned, or who may hereafter fail to return their accounts to the Ordinary according to law. Also,

A bill to authorize Stephen McCall, executor of the last will and testament of Joseph Lowther, to settle with the legatees. Also,

A bill to lay and organize a new county from the counties of Hall and Gwinnett, and for other purposes. Also,

A bill to repeal an act, to alter and amend the road laws of this State, so far as relates to the county of Montgomery assented to 19th December, 1840. Also,

A bill to establish a military board for the State of Georgia, and for other purposes therein named. Also,

A bill to repeal an act, requiring the Clerks of the courts

of Ordinary of the several counties of this State to advertise all applications for letters of administration, at the Court House door thirty days before granting such letters. Also,

A bill to provide a mode by which the Ordinaries may compel the more speedy distribution and settlement of estates in the hands of executors, administrators and guardians. Also,

A bill for the relief of Hall county. Also,

A bill to amend the 12th section of 13th division of the penal code. Also,

A bill for the benefit of the McDuffie Rifles, a Volunteer company, organized in Warren county.

The following bills were taken up and severally read the second time, and referred to the committee on the Judiciary.

A bill for the relief of married persons. Also,

A bill to make penal the practice of marking cattle, hogs, and other stock by cutting off the ears as a lawful mark. Also,

A bill to revise the jury system of this State. Also,

A bill to amend an act, assented to December the 15th, 1859, relating to itinerant traders in this State. Also,

A bill to require the Judges of the Superior Courts of this State to give their charges to the jury in writing in the cases therein provided. Also,

A bill to alter and amend the laws of this State in relation to the stay of executions, and for other purposes therein mentioned. Also,

A bill to further protect the rights and interest of minors and orphans. Also,

A bill the better to secure and protect the rights of married women, and for other purposes. Also,

A bill to add an additional section to the penal laws of this State relating to slaves. Also,

A bill to authorize Ordinaries of this State to dispose of insolvent estates when the same shall not exceed the sum of one hundred dollars. Also,

A bill for the relief of securities upon bonds of county officers in this State, and for other purposes. Also,

A bill to repeal an act to abolish imprisonment for debt on certain conditions herein set forth, and for other purposes, assented to December 11th, 1858. Also,

A bill to aid in carrying out the bastardy laws of this State, and for other purposes therein mentioned.

The Senate took up the following bills which were severally read the second time, and ordered to be engrossed :

A bill for the relief of Sylvester Hill, wife of John Hill, of Cobb county, and for other purposes. Also,

A bill to change the county lines between the counties of Sumter and Macon so as to attach the residence of George Walker of Sumter, to the county of Macon. Also,

A bill to change the line between the counties of Wayne and Glynn.

The Senate took up the following bills, which were severally read the second time and referred to the Committee on New Counties and County Lines.

A bill to alter the line between the counties of Walker and Whitfield, and to add a portion of the county of Walker to the county of Whitfield. Also,

A bill to change the county lines between the counties of Forsyth and Milton. Also,

A bill to define the line between the counties of Milton and DeKalb. Also,

A bill to lay out a new county from the counties of Chattooga and Walker, and for other purposes.

The Senate took up the following bill which was read the second time, and referred to the committee on the Penitentiary :

A bill to provide for the removal of the Penitentiary, and for other purposes.

The Senate took up the following bill which was read the second time and referred to a select committee of three :

A bill to authorize three Commissioners appointed by the State to contract with any responsible company to establish an Armory in this State, and for other purposes.

Mr. Fulton offered the following resolution which was taken up, read and agreed to :

Resolved, That a committee of three be appointed on the part of the Senate to confer with a like committee from the House, to take into consideration the subject of an Armory in this State, and report a bill for that purpose.

In pursuance of which the President appointed Messrs. Fulton, Lawton and Davison, as that committee on the part of the Senate.

Mr. Hitchcock introduced a bill to change the line between the counties of Madison and Jackson; which was read the first time.

Mr. Common introduced a bill to compel all persons owning lands in certain counties named in this act to have the same resurveyed; which was read the first time.

On motion the Senate then adjourned until 10 o'clock tomorrow morning.

WEDNESDAY, NOVEMBER 21st, 1860, }
 10 O'CLOCK A. M. }

Senate met according to adjournment, and was opened with prayer by Rev. Mr. Scott.

Mr. Billups, chairman of the Committee on Agriculture, made the following report, which was taken up, read, and agreed to :

The Committee on Agriculture, to which was referred the memorial of the Cotton Planters' Convention, has had the same under consideration, and ask leave to report in part. The Committee is unanimously of the opinion that the suggestions and recommendations contained in said memorial in respect to the appointment of a competent chemist to analyze the many commercial fertilizers that are being introduced into the State, and sold to our planters and farmers, also the creation of the office of State Geologist, are entitled to the prompt attention and favorable action of the General Assembly. These are undeniably subjects of the weightiest import to the agricultural and mining interests of our State. It has been ascertained upon reliable data that compounds claiming to be fertilizers, to the amount of three hundred thousand dollars, have been sold in this State during the current year, many of them spurious and worthless, thereby entailing a heavy loss upon purchasers. As the quantity to be introduced the coming year will doubtless be vastly augmented, and the quality, owing to the now general and growing demand, may be adulterated to a still greater extent, the committee deem it not only desirable but imperative that some measure be adopted to protect our people against fraud and imposition.

In regard to the policy, indeed the necessity, of establishing the office of State Geologist, the opinion of the committee is equally clear and decided. 'Tis now a conceded fact, one removed beyond all doubt or cavil, that the mountainous region of our State teems with the richest and most valuable ores and minerals. Many owners of the lands on which these deposits exist, are, and must necessarily remain until a thorough exploration be made, ignorant of their great, and may be incalculable worth. Meanwhile, our citizens in that section are liable to be overreached and victimized, and the State itself sustain great loss and detriment by the agents of foreign capitalists, where higher attainments in geological science will enable them to discover and appropriate to themselves these inexhaustible sources of wealth. Therefore,

Be it resolved, by the General Assembly of the State of Georgia, That the agricultural and mining interests of said State would be essentially promoted by the creation and maintenance of the offices of State Chemist and State Geologist.

Mr. Spalding offered the following resolution, which was taken up, read, and agreed to :

Resolved, That the Hon. Barnwell Rhett be tendered a seat upon the floor of the Senate during his stay in Milledgeville.

Also, the following resolution, which was taken up, read, and agreed to :

Resolved, That the Hon. Edmund Ruffin and Hon. Gideon J. Pillow be tendered seats on the floor of the Senate.

The Senate took up, as the report of the Committee of the Whole, the following reconsidered bill, to-wit :

A bill to prevent the peddling of spirituous liquors.

Mr. Harris of Worth moved to amend the report by inserting the county of Worth, and amending the caption to correspond therewith ; which was agreed to.

Mr. Lenoir moved further to amend the report by extending the provisions of this bill to the counties of Emanuel, Clayton, Screven, Dougherty, Quitman, Houston, Taylor, Macon, Oglethorpe, Clay, Effingham, Crawford, Twiggs, Polk, Liberty, Cobb, Lowndes and Irwin ; which was agreed to.

The report as amended was agreed to, the bill was read the third time, and passed.

Mr. Batts introduced a bill to legalize the levy of an extra tax by the Inferior Court of the county of Lee, to build a turnpike ; which was read the first time.

Mr. White introduced a bill to prevent free negroes and persons of color from living apart from their owners or hirers, and for other purposes ; which was read the first time.

Mr. Paine offered the following resolution, which was taken up, read, and agreed to :

WHEREAS, His Excellency the Governor has set apart Wednesday, the 28th of the present month, as a day of fasting, humiliation and prayer, and recommends divine service to be held on that day,

Resolved, That a committee of three be appointed on the part of the Senate, to act in concert with a committee of the House of Representatives, to make arrangements for service in the Hall of Representatives, on Wednesday, 28th inst., and invite some distinguished divine to deliver an appropriate sermon on the occasion.

In pursuance of which the President appointed Messrs. Paine, Collier, and Robinson, as the committee on the part of the Senate.

Senate took up the special order, which was the consideration of the message of His Excellency the Governor relative to the election of Electors of this State for President and Vice President of the United States.

Mr. Collier offered the following resolution, which was taken up, read, and agreed to :

Resolved, That upon the concurrence of the House of Representatives in this resolution, the General Assembly meet in the Representative Hall, on Saturday, 24th inst., at 11 o'clock A. M.; if that day should transpire before the House shall concur in this resolution, then so soon thereafter as the House shall inform the Senate that they are ready to receive them, to choose ten Electors to cast the vote of the State of Georgia for President and Vice President of the United States, in pursuance with the laws of the same.

On motion of Mr. Oliver, the same was ordered to be transmitted forthwith to the House of Representatives.

The following message was received from the House of Representatives, by Mr. Hillyer, their Clerk :

Mr. President—The House of Representatives have passed the following bills, to-wit :

A bill to authorize the legal representatives of intestates and testators of other States to sue in this State.

A bill to extend the provisions of the Act of 1859, making compensation to the reporter of the Supreme Court for books furnished to the State.

A bill to change the 14th Section of the 13th Division of the Penal Code of this State.

A bill to change the 44th Section of the 8th Division of the Penal Code of this State.

A bill for the relief of widows in certain cases therein mentioned.

A bill the better to protect the importers of foreign laborers.

A bill to compensate the Grand and Petit Jurors of the counties of Brooks, Mitchell, Clinch, Pierce, Glynn, Laurens, Lowndes, and Walton, and to authorize the levying of a tax for the same.

A bill to punish the taking and carrying away the wood or timber from the lands of another in the county of Fulton.

A bill to authorize the Inferior Court of Ware county to order a vote of the citizens of said county, relative to building of a new court house, and the changing of the site thereof.

A bill to change the time of holding the Superior Court of the county of Bibb.

A bill to repeal an Act to allow Andrew J. Wootten, of the county of Telfair, to peddle and vend goods in the counties of Telfair, Pulaski, Laurens, Montgomery, Appling, Coffee, Irwin and Lowndes, free of license, approved March 5, 1856.

They have also passed the following bill of the Senate, to-wit:

A bill for the relief of Mary Wray, of the county of Richmond, and for other purposes therein mentioned.

The Senate took up, as the report of the Committee of the Whole, a bill to protect the rights of the people of Georgia.

On motion of Mr. McGehee, the same was made the special order for Monday next.

The Senate took up, as the report of the Committee of the Whole, a bill to provide for the trial of causes in the Superior Courts of this State, where the judge presiding in such court shall be incompetent to try the same under existing laws.

The Committee on the Judiciary, to whom this bill was referred, reported in favor of its passage.

The report was agreed to, the bill was read the third time and passed.

The Senate took up, as the report of the Committee of the Whole, a bill to require in all cases the names of secret prosecutors to be endorsed upon bills of indictment and presentments of Grand Juries, so far as the same relates to the county of Hall.

On motion the same was indefinitely postponed.

The following message was received from His Excellency the Governor, by Mr. Waters, his Secretary, to-wit:

Mr. President—The Governor has approved and signed the Act to authorize the Governor of the State of Georgia to call a Convention of the people of this State, and for other purposes.

Mr. Harris from the Committee on Enrollment, reported as duly enrolled, and ready for the signature of the President of the Senate,

An act for the relief of Mary Wray, of the county of Richmond, and for other purposes therein mentioned.

The Senate took up, as the report of the committee of the Whole, a bill to change the manner of electing or appointing the Judges of the Superior Courts of this State.

The Committee on the Judiciary, to whom this bill was referred, offered the following bill as a substitute in lieu of the original bill, to-wit:

A bill to change the manner of electing and appointing Judges of the Superior Courts of this State.

Mr. Wallace moved to amend the report by inserting after the word "by," and before "the Senate," the words "two-thirds present;" which was agreed to.

Mr. Jordan moved further to amend the report by striking out the third section; which was agreed to.

Mr. Printup moved further to amend the report by striking out all giving the appointing power to the Governor, and inserting in lieu thereof the appointment by the General Assembly; which was lost.

Pending the consideration of agreeing to the report as amended, the Senate on motion adjourned until to-morrow morning at ten o'clock.

THURSDAY, NOVEMBER 22d, 1860. }

10 O'CLOCK, A. M. }

Senate met according to adjournment, and was opened with prayer by the Rev. Mr. Flinn.

Mr. Poole moved to reconsider so much of the Journal of yesterday, as relates to the vote by which a bill to require in all cases the names of secret prosecutors to be endorsed upon the bill of indictments, and presentments of Grand Juries, so far as the same relates to the county of Hall, was indefinitely postponed. Upon agreeing to which motion, Mr. Poole required the yeas and nays, which being recorded were yeas 48, nays 51.

Those who voted in the affirmative are Messrs :

Allred, Barrow, Batts, Billups, Bond, Brown, Cloud, Crittenden, Davis, Denham, Griffin of Brooks, Harris of Dougherty, Head, Hill of Troup, Hyde, Ivey, Jamison, Johnson of Clayton, Kirby, Lamar, Lott, Maples, Merrill, McGehee, McLeod, Paine, Poole, Printup, Quillian, Reid of Morgan, Reid of Taliaferro, Riley, Roberts, Rushin, Seward, Shelton, Sheppard, Sirman, Spalding, Summerour, Tarver, Tatum, Trippe, Usry, Wells, Williams of Terrell, Wilson, Young.

Those who voted in the negative are Messrs.

Ashley, Barclay, Boggs, Burnett, Byars, Chester, Collier,

Cook, Cone, Cowen, Davison Donaldson, Duncan, Ferrill, Flewellen, Gartrell, Green, Grice, Griffin of Twiggs, Harris of Worth, Hightower, Hill of Wilkes, Hines, Holt, Hood, Johnson of Cass, Jones, Jordan, Lawton, Lenoir, Maddox, Moore of Whitfield, Morris, Oliver, Pruitt, Robinson, Sawyer, Shellnut, Smith of Hancock, Smith of Talbot, Snell, Sweat, Turner, Tracy, Walker, Wallace, Ward, White, Whitworth, Williams of Berrien, Williams of Rabun, Wynne.

So the motion to reconsider did not prevail.

Mr. Hill of Troup, moved to reconsider so much of the Journal of yesterday, as relates to the vote by which an amendment striking out the third section of a bill to change the manner of electing and appointing Judges of the Superior Courts, was agreed to. Which was agreed to.

Leave of absence was granted Mr. Williams of Terrell, and Mr. Sheppard for a few days on special business.

Mr. Collier offered the following resolution, which was read:

Resolved, That the Secretary of the Senate, be, and he is hereby directed to furnish the Judiciary Committee with a Clerk.

Mr. Hill of Troup, moved to amend the foregoing with the following:

Resolved, That the action of the Judiciary Committee in continuing for this session, the Clerk appointed at the last session, be, and is hereby ratified and approved. Which was agreed to.

The Senate resumed the consideration of the unfinished business of yesterday, which was a bill to change the manner of electing or appointing the Judges of the Superior Courts of this State, and the amendments thereto.

Mr. Seward moved that the same be indefinitely postponed. Upon agreeing to which motion, the yeas and nays were recorded, and were yeas 62, nays 43.

Those who voted in the affirmative were Messrs.

Allred, Atkinson, Barclay, Batts, Bond, Briscoe, Brown, Burnett, Byars, Cone, Cowen, Davis, Denham, Donaldson, Flewellen, Gartrell, Grice, Griffin of Brooks, Griffin of Twiggs, Head, Hightower, Hill of Wilkes, Hood, Hyde, Ivey, Jamison, Jones, Lott, Maddox, Maples, McGehee, McRae, Moore of Whitfield, Morris, Oliver, Poole, Pruitt, Quillian, Reid of Taliaferro, Riley, Robinson, Roberts, Rushin, Sawyer, Seward, Shelton, Shellnut, Sirman, Smith of Hancock, Stowers, Summerour, Sweat, Tarver, Usry, Walker, White, Whitehurst, Whitworth, Williams of Berrien, Williams of Rabun, Wilson, Young.

Those who voted in the negative are Messrs.

Ashley, Barrow, Billups, Boggs, Chester, Collier, Cooper, Cook, Crittenden, Davison, Duncan, Ferrill, Fulton, Green, Harris of Dougherty, Harris of Worth, Hill of Troup, Hines, Holt, Johnson of Clayton, Johnson of Cass, Jordon, King, Kirby, Lawton, Lenoir, Merrill, McLeod, Moore of Laurens, Paine, Reid of Morgan, Sheppard, Smith of Talbot, Snell, Spalding, Tatum, Turner, Tracy, Trippe, Wallace, Ward, Wells, Williams of Terrell,

So the motion to postpone indefinitely prevailed.

The Senate took up as the report of the committee of the whole the special order, which was, a bill to aid the citizens of Georgia, in the construction of Railroads in this State.

On motion of Mr. King, the same was made the special order for Thursday the 29th inst.

The Senate took up as the report of the committee of the whole the special order, which was, a bill for the relief of the people of this State, and to repeal certain clauses of the act of 1857, in relation to bank charters and the amendments thereto.

Mr. Smith of Talbot moved further to amend the report by inserting in the 5th section at the proper place, the words "or under and by virtue of any proceeding under writs of casa," which was agreed to.

Mr. Fulton moved further to amend the report, by striking out the words "the possible withdrawal of this State from the Union," which was agreed to.

Mr. Seward moved further to amend the report, by striking out in third section the words, "action shall be had by," and all down to "provided," and insert in lieu thereof, the words "1st Dec. 1861," which was agreed to.

Mr. Jones moved further to amend the report by adding a proviso to the second section of said bill, which was agreed to.

Mr. Gartrell moved further to amend the report by adding a proviso to the fourth section of said bill, which was agreed to.

Mr. Moore of Whitfield, moved further to amend the report by adding in the 5th section after the word "State" and before the words "it shall not be lawful" the words "or of any number of the solvent banks of this State, owning and controlling the largest amount of capital stock, and for banking purposes," which was lost.

Mr. Gartrell moved further to amend the report, by adding to the 5th section a proviso, which was agreed to.

Mr. Collier moved further to amend the report by insert-

ing in the 5th section at the proper place the word "corporation," which was agreed to.

Mr. Merrell moved further to amend the report by striking out in the 5th section the word "claim," and inserting in lieu thereof the word "debt," which was agreed to.

Mr. Collier moved further to amend the report, by striking out in the 5th section the words "during the time of such suspension," and inserting in lieu thereof, the words "until the 1st day of December 1861," which was agreed to.

Mr. Bartlett moved further to amend the report, by adding a proviso to the 5th section, which was lost.

Mr. Collier moved further to amend, by adding in 5th section after the word "sale" "until first day of Dec. 1861," which was agreed to.

Mr. Collier moved further to amend the report, by striking out in 5th section the words "upon the resumption of specie payment of said Bank," and inserting in lieu thereof, the words "at the expiration of said stay," which was agreed to.

Pending the consideration of the report, the Senate adjourned until 10 o'clock to-morrow morning.

FRIDAY, NOVEMBER 23D, 1860. }
10 O'CLOCK, A.M. }

Senate met according to adjournment, and was opened with prayer by Rev. Mr. Flinn.

Mr. Trippe moved to reconsider so much of the journal of yesterday as relates to the vote by which a bill to change the manner of electing or appointing Judges of the Superior Courts of this State was indefinitely postponed.

Upon agreeing to which motion, the yeas and nays were recorded, and were, yeas, 45; nays, 53.

Those who voted in the affirmative are Messrs.

Ashley, Billups, Chester, Collier, Cooper, Cook, Cowen, Crittenden, Davison, Duncan, Ferrill, Flewellen, Fulton, Glover, Grice, Harris of Dougherty, Hill of Troup, Hines, Holt, Johnson of Clayton, Johnson of Cass, Jordan, King, Kirby, Lamar, Lawton, Merrill, McGehee, McLeod, Moore of Laurens, Paine, Printup, Smith of Hancock, Smith of Talbot, Spalding, Tarver, Tillman, Turner, Trippe, Usry, Wallace, Ward, Wells, White, Whitehurst.

Those who voted in the negative are Messrs.

Alexander, Allred, Barclay, Batts, Bond, Briscoe, Brown, Burnett, Byars, Cannon, Cone, Davis, Delaperriere, Denham, Gartrell, Gaston, Green, Griffin of Brooks, Griffin of Twiggs, Head, Hightower, Hill of Wilkes, Hood, Hyde, Ivey, Jamison, Jones, Lott, Maddox, Maples, McRae, Moore of Whitfield, Morris, Oliver, Pruitt, Quillian, Riley, Roberts, Rushin, Sawyer, Shelton, Shellnut, Sirman, Snell, Summerour, Sweat, Tatum, Walker, Ware, Whitworth, Williams of Berrien, Williams of Rabun, Wilson, Wynne, Young.

So the motion to reconsider did not prevail.

Leave of absence was granted Messrs. Tracy, Alexander, Smith of Talbot, Hill of Troup, Batts, McLeod, Burnett, Tarver, Snell, Donaldson, and Reid of Taliaferro, for a few days, on special business.

Mr. Burnett presented the proceedings of a meeting of the citizens of Clay county relative to our Federal Relations; which were read.

Mr. Brown presented the proceedings of a meeting of the citizens of Dooly county relative to our Federal Relations; which were read.

Mr. Billups presented the proceedings of a meeting of the citizens of Clark county relative to our Federal Relations; which were read.

The following message was received from the House of Representatives, by Mr. Hillyer, their Clerk:

Mr. President:—The House of Representatives have concurred in a resolution of the Senate providing for the appointment of a joint-committee to make suitable arrangements for the proper observance of Wednesday, the 28th inst., as a day of fasting, humiliation, and prayer, and they have appointed as such committee on the part of the House, Messrs. Lumpkin, Ware, Bivins, McCrairy, and Alexander.

Mr. Hill, of Troup, presented the proceedings of a meeting of the citizens of Troup county relative to our Federal Relations; which were read.

Mr. Barrow presented the proceedings of a meeting of the citizens of Oglethorpe county relative to our Federal Relations; which were read.

Mr. Trippe presented the proceedings of a meeting of the citizens of Monroe county relative to our Federal Relations; which were read.

Mr. Robinson reported the proceedings of a meeting of the citizens of Early county relative to our Federal Relations; which were read.

Mr. Merrill presented the proceedings of a meeting of the citizens of Carroll county relative to our Federal Relations; which were read.

Mr. Hill, of Troup, introduced a bill in relation to the LaGrange Female College; which was read the first time.

Also, a bill to furnish arms to the military department of Brownwood Institute; which was read the first time.

Mr. Printup offered the following resolution, which was taken up, read, and agreed to:

Resolved, That Hon. John W. H. Underwood, former Speaker of the House of Representatives, and Col. Wm. J. Harlee, of U.S. Army, be invited to take seats on the floor of the Senate.

Mr. Johnson, of Clayton, offered the following resolution, which was read:

Resolved, That, in future, all resolutions passed by county meetings be submitted without debate, and nothing but the resolutions shall be read.

The Senate resumed the consideration of the unfinished business of yesterday, which was,

A bill for the relief of the people of this State, and to repeal certain clauses of the Act of 1857, in relation to bank charters, and the amendments thereto.

Mr. Collier moved further to amend the report by striking out the fourth section of the bill; which was agreed to.

Mr. Collier moved further to amend the report by inserting after the word "by," in the fifth section, the following words, "any five or more of the Savannah and Augusta banks;" which was agreed to.

The report as amended was agreed to.

Mr. Spalding called for the previous question, which was seconded, and the main question was ordered to be put.

Upon the question "shall this bill now pass?" the yeas and nays were recorded, and were, yeas, 92; nays, 15.

Those who voted in the affirmative are Messrs.

Alexander, Ashley, Atkinson, Barrow, Batts, Billups, Boggs, Briscoe, Brown, Burnett, Byars, Cannon, Chester, Collier, Cooper, Cook, Cone, Crittenden, Davison, Davis, Delaperriere, Denham, Duncan, Ferrill, Flewellen, Fulton, Gartrell, Gaston, Green, Grice, Griffin of Twiggs, Harris of Dougherty, Harris of Worth, Head, Hill of Troup, Hill of Wilkes, Hines, Holt, Hood, Jamison, Johnson of Clayton, Johnson of Cass, Jones, Jordan, King, Kirby, Lamar, Lawton, Lott, Maples, Merrill, McGhee, McLeod, Moore of Laurens, Moore of Whitfield, Morris, Oliver, Paine, Poole, Pruitt, Reid of Morgan, Reid of Taliaferro, Riley, Robinson, Roberts, Rushin, Sawyer, Seward, Shelton, Sirman, Smith of Hancock, Smith of Talbot, Snell, Spalding,

Stowers, Sweat, Tarver, Tatum, Tillman, Turner, Usry, Walker, Ward, Ware, Wells, White, Whitehurst, Whitworth, Williams of Berrien, Wilson, Wynne, Young.

Those who voted in the negative are Messrs.

Allred, Barclay, Bond, Cloud, Cowen, Griffin of Brooks, Hightower, Hyde, Ivey, Maddox, McRae, Quillian, Shellnut, Summerour, Williams of Rabun.

So the bill was passed.

Messrs. Bartlett, Printup, Trippe, and Wallace were excused from voting on said bill.

On motion of Mr. Johnson, of Clayton, the Secretary was directed to transmit the said bill forthwith to the House of Representatives.

Leave of absence was granted Mr. Wynne, for a few days, on account of the sickness of his family.

Mr. Trippe offered the following resolution, which was taken up, read, and agreed to:

Resolved, That the Messenger be and is hereby directed to have the fire-places or chimneys of the Senate Chamber so arranged as to prevent their smoking.

On motion, the Senate then adjourned until 3 o'clock P.M.

THREE O'CLOCK, P.M.

Senate met according to adjournment.

The Senate took up the following bills of the House of Representatives, which were severally read the first time:

A bill to authorize the Ordinary of Chattahoochee county to pay poor school accounts; also,

A bill to incorporate the B'Nai Briss (United Brothers) Association of Savannah;

A bill to incorporate the St. Mary's Volunteers, a company of Infantry, in the city of St. Mary's, Camden county, and to authorize the Governor to furnish suitable arms and equipments; also,

A bill for the relief of George W Reaves, of Pike county; also,

A bill to incorporate the Home Loan Association, and the People's Mutual Loan Association, of Augusta, and for other purposes; also,

A bill explanatory of an Act to incorporate College

Temple, in Newnan, Georgia, and to confer powers on the same, approved Feb. 11th, 1854; also,

A bill to alter the sixth section of the third article of the Constitution of this State, so far as relates to the day on which the Ordinaries are elected; also,

A bill to furnish money to the Medical College of Georgia for the purpose of educating and graduating certain young men in Georgia, and for other purposes; also,

A bill to make the Inferior Court of the county of Lowndes successors in office to the Commissioners appointed under an Act to remove the county-site, to change the line between said county and the county of Brooks, and to authorize said Inferior Court to lay off said county into militia districts; also,

A bill to change the lines between the counties of Calhoun and Baker; also,

A bill to amend an Act to repeal an Act to amend the road laws of this State, passed in December, eighteen hundred and eighteen, so far as respects the county of Cherokee; also,

A bill to incorporate the Trustees of the Oconee Hill Cemetery, and to confirm the title to lots sold therein; also,

A bill to incorporate the Second Baptist Church, Kollock Street, Augusta, Georgia, and for other purposes; also,

A bill for the relief of Sterling S. Jenkins; also,

A bill to amend an Act to incorporate the Presbyterian Church of Walthoursville, Liberty county, and to incorporate the Savannah Flour Mill Company; also,

A bill to authorize the Inferior Court of Ware county to order a vote of the citizens of said county relative to the building of a new court-house, the changing of the site thereof, and for other purposes; also,

A bill to explain the Act to change the times of holding the elections for county officers, Judges of the Superior Courts, Attorneys and Solicitors General, (except the Ordinaries,) in this State, assented to December the 16th, 1859; also,

A bill to authorize the Clerk of the Inferior Court of Jasper county, appointed by the Justices of said Court, to fill the vacancy occasioned by the death of James E. Shropshire, late Clerk of said Court; also,

A bill to consolidate the offices of Tax Receiver and Collector for the county of Dade; also,

A bill to compensate the Tax Receiver of Clark county for services rendered; also,

A bill to repeal an Act to alter and amend the road laws of this State, so far as relates to the county of Lumpkin, assented to the 16th December, eighteen hundred and fifty-seven; also,

A bill to authorize Wilkerson Sparks, administrator, with the will annexed of John Sparks, deceased, and administrator of Elizabeth Sparks, deceased, and administrator of William A. Sparks, deceased, late of Harris county, to sell the land and negroes belonging to each of said estates, on the first Tuesday in December, eighteen hundred and sixty; also,

A bill to change the time of holding the Inferior Courts in the county of Glascock; also,

A bill to authorize the Inferior Court of the county of Hancock to levy an extra tax for county purposes; also,

A bill to compensate the Grand and Petit Jurors of the counties of Brooks, Mitchell, Clinch, Pierce, Glynn, Laurens, Lowndes and Milton, and to authorize the levying of a tax for the same; also,

A bill to change the fourteenth section of the thirteenth division of the Penal Code of this State; also,

A bill for the relief of widows, in certain cases therein mentioned; also,

A bill to change the time of holding the Superior Court of the county of Bibb; also,

A bill the better to protect the importers of foreign laborers; also,

A bill to authorize the legal representatives of intestates and testators of other States to sue in this State; also,

A bill to extend the provisions of an Act, passed December 19th, 1859, to allow and make compensation to the Reporter of the Supreme Court, for certain volumes of the Decisions of said Court, furnished by him under the provisions of the Act of 1845, so as to include therein the former Reporter of said Court; also,

A bill to confer upon the Inferior Courts of the several counties in this State power to establish, change, or abolish any election precinct or precincts within the same; also,

A bill to amend an Act entitled An Act to incorporate the Columbus Savings and Mutual Loan Association, approved March 1st, 1856; also,

A bill to authorize Tillman P. Burgamy, of the State of Alabama, to become the guardian of his father, John Burgamy, a lunatic, of Fayette county; also,

A bill to amend an Act organizing the Independent Volunteer Battalion, of Augusta, approved March 3d, 1856; also,

A bill to incorporate the town of Acworth, in the county of Cobb, and for other purposes therein mentioned; also,

A bill to appoint three trustees for the Georgia Institute for the Deaf and Dumb, and for other purposes; also,

A bill to extend aid to Oglethorpe Medical College; also,

A bill to appropriate money for the support of the pupils of the Georgia Academy for the Blind; also,

A bill to amend an act to incorporate the Bainbridge Volunteers, and to confer certain privileges upon the same; also, to incorporate the Atlanta Grays in the city of Atlanta in the county of Fulton; also,

A bill to incorporate Bear Creek Academy in the county of Henry in the State of Georgia; also,

A bill to incorporate Mulberry Methodist Camp Ground in Gwinnett county, and to appoint Trustees for the same; also,

A bill to incorporate Pine Grove Lodge No. 177 of Free and Accepted Masons at Bear Creek, Henry county, Georgia; also,

A bill to exempt practicing Physicians in the counties of Jasper, Dade, Laurens and Monroe from Jury duty in the said counties. Also,

A bill to repeal an act to allow Andrew J. Wootten of the county of Telfair to peddle and vend goods in the counties of Telfair, Pulaski, Laurens, Montgomery, Appling, Coffee, Irwin and Lowndes free of license, and other persons therein named, approved March 5th, 1856; also,

A bill to change the forty-fourth section of the eighth division of the Penal Code of this State; also,

A bill to prevent the taking and carrying away the wood or timber from the lands of another in the county of Fulton, and for other purposes; also,

A bill to incorporate the town of Trenton in the county of Dade; and to appoint Commissioners for the same, and to point out the mode of electing the same, and for other purposes; also,

A bill to amend the charter of the South-Western Railroad Company, and to authorize a further increase of the capital stock of said company, and to grant to said company Banking powers and privileges, and for other purposes.

Mr. Lawton introduced a bill to amend an act entitled an act to give all persons employed on all steamboats and other water crafts on the Chattahoochee, Altamaha and Ocmulgee rivers, a lien on said steamboats, or water crafts, for his, her or their wages, and for other purposes; which was read the first time.

Mr. Moore of Whitfield offered the following resolution, which was taken up, read and agreed to:

Resolved, That the Committee on the Deaf and Dumb Asylum be, and they are hereby authorized to appoint a sub-committee of three who acting in conjunction with a committee of members of the House of Representatives, shall forthwith proceed to visit and examine the Institution for the education of the Deaf and Dumb at Cave Spring, Floyd county, and report upon the management, condition

and wants of the Institution to the present session of the General Assembly.

Mr. Lawton introduced a bill to amend an act entitled an act to incorporate the Orphan's Home of the Protestant Episcopal Church in Chatham county, passed Dec. 10th, 1859; which was read the first time.

Mr. Wallace introduced a bill to extend the provisions of the act of 1859, to all Trustees; which was read the first time.

Mr. Cook introduced a bill to incorporate Talula Male and Female Institute in the town of Oglethorpe, Macon county; which was read the first time.

Mr. Barclay introduced a bill to prevent the obstruction of the waters of Notley river, in the county of Union; which was read the first time.

Mr. Hines introduced a bill amendatory of an act to amend the Patrol Laws of this State, approved February 20th, 1854, so far as relates to the county of Effingham; which was read the first time.

Mr. Hill of Wilkes introduced a bill to define the boundary line between the counties of Chattahoochee and Muscogee, so as to include the plantation of Gabriel Toombs in the county of Muscogee; which was read the first time.

Mr. Smith of Talbot introduced a bill to incorporate the town of Talbotton; which was read the first time.

Mr. Morris introduced a bill to amend an act to incorporate the town of Carnesville in the county of Franklin; which was read the first time. Also.

A bill to incorporate the American Agency Company; which was read the first time.

The Senate took up the following bills which were severally read the second time and referred to the Committee on the Judiciary :

A bill to regulate the admission of evidence ; also,

A bill to authorize a general suspension of the collections by law of any and all judgments and executions, &c.; also, a bill to abolish the usury law, now of force in this State, so far as relates to promises in writing, when the rate of interest is expressed in the written promise to pay ; also,

A bill to amend the third and seventh sections of the first article of the Constitution of this State ; also,

A bill to repeal so much of an act entitled an act to amend the foregoing, approved December 5th, 1806, as prevents the offending party, in cases of absolute divorce, from marrying, and to amend the same.

The Senate took up the following bill, which was read the second time and referred to the Committee on new counties and county lines :

A bill to lay out a new county from the counties of Newton and DeKalb.

Senate took up the following bill, which was read the second time, and ordered to be engrossed :

A bill to change the line between the counties of Harralson and Carroll, and for other purposes.

The Senate took up the following bills, which were severally read the second time, and referred to the Committee of the Whole :

A bill to prevent free negroes and persons of color from living apart from their owners or hirers, and to keep the same from having eating tables in the town of Monroe, in this State, and for other purposes. Also,

A bill to compel all persons owning lands in certain counties named in this act to have the same re-surveyed. Also,

A bill to legalize the levy of an extra tax by the Inferior Court of Lee county to build a turnpike. Also,

A bill to change the line between the counties of Madison and Jackson. Also,

A bill to incorporate Griffin Fire Company No. 1, and for other purposes. Also,

A bill for the relief of Mrs. Emily E. Grantham, of Cobb county. Also,

A bill to accomplish more effectually the objects of the Patrol Laws. Also,

A bill to incorporate the Methodist Episcopal Church Camp Ground at Bethlehem, in Walton county. Also,

A bill to change the times of holding the Superior Courts of the counties of Washington and Putnam, and to add the county of Washington to the Ocmulgee Judicial Circuit. Also,

A bill to incorporate the Excelsior Mining Company. Also,

A bill to amend the several acts relating to the South Western Rail Road Company, and to authorize the said Company to construct a branch Rail Road, and for other purposes. Also,

A bill to change the form of the oath required by tax payers in this State. Also,

A bill to incorporate the Youngs Female College in the county of Thomas, at or near Thomasville. Also,

A bill to amend an Act entitled An Act to incorporate the Georgia and Alabama Rail Road Company; also,

A bill to incorporate the Rome Gas-Light Company; also,

A bill to compel road commissioners, in the several districts in this State, where there are no justices of the Peace, to make returns of persons liable to pay taxes; also,

A bill to amend the several Acts incorporating the city of Dalton; also,

A bill to add a section to the tenth division of the Penal Code; also,

A bill to regulate the measuring of timber in the city of Darien; also,

A bill to authorize guardians, trustees, executors and administrators, of the county of Chatham, to invest in the bonds of the city of Savannah; also,

A bill to facilitate the construction of the Macon & Brunswick Rail Road; also,

A bill to incorporate the Georgia Insurance Company; also,

A bill to amend an Act entitled An Act authorizing the Judge of the Superior Court to appoint a receiver, in vacation, and for other purposes; also,

A bill for the relief of James H. Erwin; also,

A bill for the relief of William J. Ammons, Sarah Ammons, *alias* Sarah Wheeler, and for other purposes therein named; also,

A bill for the relief of Smith Campbell, late of the county of Worth, now of Butts county; also,

A bill to discharge William Rogers, of the county of Milton, from the trusteeship of the property of Mrs. Ann C. Lenoir, and for other purposes; also,

A bill to authorize the levy and sale of judgments and executions of non-residents of this State; also,

A bill to compensate Justices of the Peace, in the county of Decatur, for taking list of poor children, and returning to the Ordinary; also,

A bill to alter and amend the road laws in the county of Decatur; also,

A bill to change the line between the counties of DeKalb and Gwinnett.

The Senate took up, as the report of the Committee of the Whole, a bill to change the line between the counties of Wayne and Glynn.

The report was agreed to, the bill was read the third time, and passed.

On motion, the Senate adjourned until 10 o'clock to-morrow morning.

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SATURDAY, NOVEMBER 24TH, 1860. }
10 O'CLOCK, A. M. }

The Senate met according to adjournment, and was opened with prayer by the Rev. Dr. Talmage.

On motion of Mr. Johnson of Clayton, the following resolution offered by him, was taken up, read and agreed to :

Resolved, That in future, all resolutions passed by county meetings be submitted without debate, and nothing but the resolutions shall be read.

The following message was received from the House of Representatives, by Mr. Hillyer, their Clerk.

Mr. President : The House of Representatives have passed the following bill, to-wit :

A bill to confer additional powers upon the Justices of the Inferior Courts of the several counties of this State, and for other purposes therein named. Also,

A bill of the Senate, entitled an act to amend an act entitled an act to change the time of holding the elections of county officers, Judges of the Superior Courts, Attorneys and Solicitors General, (except Ordinaries) in this State, passed December 16th, 1859.

They have also passed a resolution of the Senate, bringing on the election of Electors to cast the vote of Georgia, for President and Vice President, with an amendment, in which they ask the concurrence of the Senate.

On motion of Mr. Collier the following resolution previously offered was taken up:

Resolved, That from and after the passage of this resolution, the hours of meeting and adjourning of the Senate, shall be 9 o'clock A. M. and adjourn at 1 o'clock P. M. meet at 3 o'clock P. M. and adjourn at 5 o'clock P. M. until otherwise ordered by the Senate.

Mr. Collier offered the following as a substitute, in lieu of the original resolution:

Resolved, That after Monday the 26th inst., the hours of the meeting and adjournments of the Senate, shall be as follows, to-wit: meet at 9½ o'clock A. M. adjourn at 1 o'clock P. M. meet at 3 o'clock P. M. and adjourn at 5 o'clock P. M. and that the afternoon sessions of the Senate, be devoted to the reading and consideration of House bills, until otherwise ordered by the Senate.

Mr. Johnson of Clayton, moved to amend the foregoing, by striking out the word 9½ and inserting in lieu thereof the word 10, which was lost.

The substitute in lieu of the original resolution was then agreed to.

Mr. Hart offered the following resolution which was read:

Resolved, That this General Assembly will adjourn *sine die*, on Saturday the 8th day of Dec. next.

Mr. Atkinson introduced a bill to incorporate the Camden Rifles, and to change the name of the Chasseurs of Horse of Camden county, to the Camden Troup, which was read the first time.

Mr. Brown introduced a bill to incorporate the Dooly

Greys, a Volunteer Company, in the county of Dooly, which was read the first time.

Mr. Hood introduced a bill to amend the fourth division of the Penal Code of this State, which was read the first time.

Mr. Johnson of Clayton, Chairman of the Committee on new counties and county lines, made the following report, to-wit:

"The committee on new counties and county lines, to whom certain bills were referred, have had the following bills under consideration, and beg leave to make this report:

A bill to define the line between the counties of Milton and DeKalb, and recommend that the same do pass. Also,

An act to change the county line between the counties of Forsyth and Milton, and recommend that this bill do pass.

J. F. JOHNSON,
Chairman.

Mr. Johnson of Clayton, introduced a bill to change the line between the counties of Clayton and Fulton, which was read the first time. Also,

A bill to authorize the Clerks of the Superior and Inferior Courts, and Justices of the Peace of this State, to issue *ca-sa* in certain cases, which was read the first time.

Mr. Kirby introduced a bill to authorize the Ordinary of Chattooga county to pay poor school account of John A. Rose of said county, and for other purposes, which was read the first time.

The following Message was received from His Excellency the Governor, by Mr. Waters his Secretary, to-wit:

Mr. President: The Governor has approved and signed the act, for the relief of Mary Wray, of the county of Richmond, and for other purposes therein mentioned. }

Mr. Maples introduced a bill to authorize Justices of the Peace of Mitchell county, to appoint patrol commissioners for said county, which was read the first time.

Mr. Merrill introduced a bill to transfer all suits from the Superior Court of the county of Heard, in which B. H. Wright is defendant, and all papers appertaining to the same, to the Superior Court of the county of Carroll, which was read the first time.

Mr. McGehee introduced a bill to change an election precinct in the county of Houston.

On motion the Senate refused to entertain the same.

Leave of absence was granted Mr. Gaston for a few days, on special business.

Mr. Fulton introduced a bill to incorporate the Columbia

Volunteers and the Thompson Guards in the county of Columbia, which was read the first time. Also,

A bill to amend an act to regulate the freight of lime on the Western & Atlantic Railroad, which was read the first time.

Mr. Gartrell introduced a bill to add an additional section to the 13th division of the Penal Code, which was read the first time.

Mr. Jordan introduced a bill for the relief of Origin A.V. Rose, and Mary M. Wallace, formerly Mary M. Mitchell of Pulaski county, which was read the first time.

Mr. Moore of Whitfield introduced a bill to authorize the Dalton and Jacksonville Railroad Company, to extend their road to the North Carolina line, and for other purposes, which was read the first time. Also,

A bill to provide by law for the permanent distribution of the school fund, to which the county of Whitfield may be entitled, and for other purposes, which was read the first time. Also,

A bill to change the line between the counties of Catoosa and Whitfield, which was read the first time.

Mr. Paine introduced a bill to compel persons owning 5000 or more acres of land in the counties of Telfair and Montgomery, to give the same in, and pay taxes for the same, in the county where the said land lies, which was read the first time.

Mr. Flewellen introduced a bill to amend an act, for the relief of the counties of Muscogee and Talbot, and the City of Columbus, and to amend and explain an act, to oblige vessels and persons, coming from places infected with epidemical diseases, to perform quarantine, and to prevent bringing in and spreading malignant and contagious diseases in this State, passed 14th Dec. 1793, approved Dec, 29th, 1836, which was read the first time.

Mr. Bartlett introduced a bill to add the 369th district of Putnam, to Jasper county; which was read the first time.

Mr. Shellnut introduced a bill to change the name of Jane Bennett Edes, to that of Jane Davis Bennett, which was read the first time.

Mr. Lawton introduced a bill to postpone an act to regulate the Agencies of Foreign Insurance Companies, which was read the first time.

Mr. Pruitt introduced a bill to incorporate the Homer High School, which was read the first time.

Mr. Morris introduced a bill to dispose of certain lands drawn in the lotteries of this State, in the years 1803, 1805, 1820, 1821, 1827, 1832, upon certain conditions therein named, which was read the first time.

Mr. Jones introduced a bill to change the line between the counties of Walton and Newton, also between the coun-

ties of Newton and Jasper, which was read the first time.

Mr. Quillian introduced a bill to lend the credit of the State of Georgia, to the Marietta, Ellijay & Ducktown Railroad Company upon the conditions therein named, which was read the first time.

Mr. Riley introduced a bill to change the mode of ascertaining the number of children in the county of Lumpkin, who are entitled to the benefits of the common school fund for said county, which was read the first time.

Mr. White introduced a bill to incorporate the Mount Vernon Church and Academy, in the county of Walton, and for other purposes, which was read the first time.

Mr. Jones introduced a bill to authorize changes in the public roads of this State upon the conditions therein mentioned, which was read the first time.

Mr. King introduced a bill to authorize the Governor to furnish arms to organized Volunteer Companies not uniformed, which was read the first time.

Mr. Wallace introduced a bill to compel Trustees, Guardians, Administrators and Executors, to pay into court from time to time, such portions of the income of the estate of cestueque trusts, legatees, distributees &c., as shall be necessary to carry on litigation, and support said parties during the pendency of the same, which was read the first time.

Mr. Tarver introduced a bill to incorporate the town of Bethany in the county of Jefferson, which was read the first time.

Mr. Quillian introduced a bill to prevent persons driving cattle of the cow kind, into the county of Gilmer from distempered places, which was read the first time.

Mr. Printup introduced a bill to allow Rufus Barker of the county of Floyd, to practice medicine and charge therefor, which was read the first time.

Mr. Tarver introduced a bill to authorize the Inferior Court of Putnam county to levy an Educational and a Military Tax, which was read the first time.

Mr. Bartlett introduced a bill to amend an act, passed December 18th, 1792, to revise and amend an act for ascertaining the fees of public officers of the State, which was read the first time.

Mr. McDuffie introduced a bill to change the line between the counties of Irwin and Wilcox, which was read the first time.

Mr. Riley introduced a bill to authorize the Inferior Court of Lumpkin county to levy an extra tax, which was read the first time. Also,

A bill to authorize and require the Ordinary of Lumpkin county, to pay William K. McGehee for teaching poor children in said county, which was read the first time.

Mr. Seward offered the following resolution which was read:

Resolved by the General Assembly, that the Governor of Georgia be directed to re-open negotiations with the authorities of the State of Florida, in regard to the boundary line between the two States, and to urge an adjustment of the disputed line, so as to protect the right of citizenship of the people residing near the line, who have been recognized by the laws and constitution of this State, as being citizens of Georgia, and so as also to protect the titles of citizens to the lands which they hold under grants issued by the State, and to have if practicable the boundary fixed so as to retain and keep the fractional lots of land sold by Georgia within the jurisdiction of this State.

Mr. Harris of Dougherty, from the committee on enrollment, reported as duly enrolled and ready for the signature of the President of the Senate,

An act to amend an act entitled an act, to change the time of holding the elections for county officers, Judges of the Superior Courts, Attorney and Solicitors General, (except Ordinaries) in this State, passed Dec. 16th 1859.

Mr. Harris of Worth offered the following resolution which was taken up and read:

Whereas, it has come to the knowledge of the General Assembly, that Col. Anthony Rudler, a citizen of Georgia, is detained in captivity in Honduras, and under circumstances of unusual hardship, and whereas the liberation of the said Rudler can in no way disturb the public peace and tranquility.

Be it therefore resolved by the General Assembly of Georgia, That we earnestly request His Excellency the present President of the United States, to use such means as may seem to him efficient for procuring the early release of said Rudler at the hands of the authorities of Honduras.

Resolved further, That His Excellency the Governor, be requested to transmit a copy of these resolutions to His Excellency the President.

On motion of Mr. Harris of Worth, the Senate took up a resolution bringing on the election of Electors to cast the vote of Georgia, in the Electoral College, for President and Vice President, which had been amended by the House of Representatives.

On motion the amendment was concurred in.

The Senate took up as the report of the committee of the whole, a bill to authorize the commissioners of the town of Wareboro to open the streets, and for other purposes.

The report was agreed to, the bill was read the third time and passed.

Senate took up as the report of the committee of the

whole, a bill to repeal an act entitled an act, to alter and amend the road laws of this State, so far as relates to the county of Oglethorpe and the several counties herein named, assented to Dec. 13th, 1858, so far as the same relates to the county of Colquitt.

The report was agreed to. The bill was read the third time, and passed.

The Senate took up as the report of the committee of the whole, a bill to authorize the Inferior Court of Taylor county, to levy an extra tax for the purpose of rebuilding the jail of said county.

The report was agreed to, the bill was read the third time and passed.

The Senate took up as the report of the committee of the whole, a bill to repeal the first section of an act entitled an act, to change the name of William Capers Day, of Green county, to that of William Capers Rhodes, and to legitimate the same, and for other purposes therein mentioned, approved February 21st, 1850.

Mr. Ward moved to amend the report by striking out so much of the first section as relates to changing the name of William Capers Rhodes to that of William Capers Day, which was agreed to.

The report as amended was agreed to, the bill was read the third time and passed.

The Senate took up as the report of the committee of the whole, a bill to suppress the use of intoxicating liquors at elections in the county of Murray.

The report was agreed to, the bill was read the third time and passed.

The Senate took up as the report of the committee of the whole, a bill to repeal an act so far as relates to taxing cattle of non-residents, five cents per head, above the cattle of residents of the county of Irwin.

The report was agreed to, the bill was read the third time and passed.

The Senate took up as the report of the committee of the whole, a bill to change and alter the county lines between the counties of Macon and Dooly

The report was agreed to, upon the question shall this bill now pass? the yeas and nays were required to be recorded, and were yeas 48, nays 33.

Those who voted in the affirmative are Messrs. :

Alexander, Allred, Barclay, Billups, Boggs, Bond, Byars, Cannon, Chester, Cooper, Cook, Cowen, Crittenden, Davison, Delaperriere, Ferrill, Fulton, Gartrell, Gaston, Grice, Head, Hightower, Hines, Ivey, Johnson of Clayton, Johnson of Cass, Jones, Kirby, Lenoir, Lott, Merrill, Moore of Whitfield, Oliver, Pruitt, Roberts, Rushin, Seward, Shellnut,

Smith of Hancock, Spalding, Sweat, Trippe, Wallace, Ward, Wells, White, Whitehurst, Williams of Berrien,

Those who voted in the negative are Messrs.

Atkinson, Borrow, Brown, Cone, Davis, Denham, Duncan, Hart, Harris of Dougherty, Harris of Worth, Hill of Wilkes, Holt, Hyde, King, Maddox, Maples, McGehee, Moore of Laurens, Morris, Poole, Printup, Quillian, Riley, Robinson, Sawyer, Shelton, Sirman, Summerour, Tillman, Walker, Williams of Rabun, Wilson, Young.

So the bill was passed.

The Senate took up as the report of the committee of the whole, a bill to repeal an act entitled an act, to authorize the Justices of the Inferior Courts of the several counties in this State, to create and lay out any new district, or change and alter the lines of those already laid out, assented to 23d Dec. 1839, so far as relates to the counties of Habersham and Rabun.

The report was agreed to, the bill was read the third time and passed.

The Senate took up as the report of the committee of the whole, a bill to authorize Executors, Guardians, Administrators, Trustees and other persons having charge of the property of minors, to keep and work the same together in certain cases. On motion the same was referred to the committee on the Judiciary.

The Senate took up as the report of the committee of the whole, a bill for the relief of Silvester Hill, wife of John Hill of Cobb county, and for other purposes.

The report was agreed to, the bill was read the third time and passed.

The Senate took up as the report of the committee of the whole, a bill for the relief of Overton Seago, and Eleanor Spier of the county of Dooly.

The report was agreed to, the bill was read the third time and passed.

On motion the Senate then adjourned until 10 o'clock Monday morning next.

MONDAY, NOVEMBER 26TH, 1860, }

10 O'CLOCK A. M. }

The Senate met according to adjournment, and was opened with prayer by Rev. Mr. Curtis.

Mr. Ivey moved to reconsider so much of the Journal of

Saturday as relates to the vote by which a bill to repeal an act entitled an act to authorize the Justices of the Inferior Courts of the several counties in this State to create and lay out any new districts, or change and alter the lines of those already laid out, assented to 23d December, 1839, so far as relates to the counties of Habersham and Rabun, was passed; which was agreed to.

Leave of absence was granted Messrs. Printup, Reid of Morgan, Smith of Hancock, and Ward, the Sub-Committee on Finance, on business appertaining to the duties of the Committee.

Leave of absence was granted Messrs. Hill of Wilkes, Byars, Holt, Barrow, Lamar and Walker, for a few days on special business.

Mr. Gartrell presented the proceedings of a meeting of the citizens of Coweta county, relative to our Federal Relations, which was read.

Mr. Shellnut presented the proceedings of a meeting of the citizens of Gordon county, relative to our Federal Relations, which was read.

The Senate took up, as the report of the Committee of the Whole, the following reconsidered bill, to-wit:

A bill to change the name of the Thomaston and Barnesville Railroad Company, to that of the Upson County Railroad Company, to incorporate the same, and for other purposes.

The report was agreed to, the bill was read third time and passed.

The Senate took up, as the report of the Committee of the Whole, a bill to change the county lines between the counties of Sumter and Macon, so as to attach the residence of George Walker, of Sumter county, to the county of Macon.

The report was agreed to, the bill was read the third time and passed.

The Senate took up, as the report of the Committee of the Whole, a bill for the relief of Mary Ann Stephens, of the county of Henry, and for other purposes.

The report was agreed to. Upon the question, "Shall this bill now pass?" the yeas and nays were recorded, and were yeas 46, nays 46.

Those who voted in the affirmative are Messrs.

Ashley, Atkinson, Bartlett, Billups, Boggs, Brown, Carter of Elbert, Chester, Cloud, Collier, Crittenden, Delaperriere, Denham, Ferrill, Fulton, Glover, Harris of Worth, Head, Hines, Jamison, Johnson of Clayton, Johnson of Cass, King, Kirby, Lott, Maples, Moore of Laurens, Paine, Poole, Printup, Pruitt, Quillian, Reid of Morgan, Riley, Roberts,

Rushin, Sawyer, Shelton, Sirman, Stowers, Summerour, Tarver, Tatum, Tracy, Ware, Wells.

Those who voted in the negative are Messrs.

Allred, Bond, Cannon, Cook, Cone, Cowen, Davis, Duncan, Evans, Flewellen, Gartrell, Green, Grice, Hart, Harris of Dougherty, Hightower, Hill of Wilkes, Hood, Hyde, Ivey, Jones, Lamar, Lawton, Lenoir, Maddox, Merrill, McGehee, McRae, Moore of Whitfield, Morris, Oliver, Robinson, Seward, Shellnut, Smith of Talbot, Sturges, Tillman, Turner, Trippe, Walker, Ward, White, Whitworth, Williams of Berrien, Williams of Rabun, Young.

There being a tie, the President of the Senate voted in the negative, and the bill was lost.

Mr. Harris of Dougherty, from the Committee on Enrollment, reported as duly enrolled and ready for the signature of the President of the Senate, a resolution bringing on the election of Electors.

The Senate took up, as the report of the Committee of the Whole, a bill to provide for the distribution of the educational fund to each school district in each county in this State, in proportion to the number of children in each district, and for other purposes therein mentioned.

On motion, the same was referred to the Committee on Public Education and Free Schools.

The Joint Committee appointed to make arrangements for religious services in the Hall of Representatives, on Wednesday, the 25th inst., and to select some distinguished divine to deliver a suitable sermon on the occasion, report that they have selected the Rev. Dr. Lipscomb, of Athens, and that he has accepted.

W W PAINE,
Chairman of Senate Committee.

The Senate took up, as the report of the Committee of the Whole, a bill to require the Judges of the Superior Courts of this State to give their charges to the jury in writing, in cases therein provided.

The Committee on the Judiciary, to whom said bill was referred, reported in favor of its passage.

Mr. Bartlett moved to amend the report by inserting in the first section, after the word "shall," the words "in all cases of felony and;" which was agreed to.

The report as amended was agreed to. The bill was read the third time and passed.

The following message was received from His Excellency, the Governor, by Mr. Waters, his Secretary, to-wit:

Mr. President—The Governor has approved and signed

the act to amend an act to change the time of holding the elections for county officers (except Ordinaries), Judges of the Superior Courts, and the Attorney and Solicitors General, in this State, passed December 13th, 1859.

Mr. Fulton, chairman of the Joint Select Committee on the propriety of erecting an armory in this State, made the following report, to-wit:

The Select Committee to whom was referred a bill to authorize three commissioners appointed by the State to contract with some responsible company to erect an armory in this State, and for other purposes, have had the same under consideration, and recommend the passage of a substitute in lieu thereof.

On motion of Mr. Fulton, the Senate took up, as the report of the Committee of the Whole, a bill to authorize three commissioners, appointed by the State, to contract with some responsible company to erect an armory in this State, and for other purposes.

The Joint Select Committee to whom said bill was referred, offered the following as a substitute in lieu of the original bill:

A bill to authorize the election of three commissioners by the General Assembly, to select a site, and make all arrangements necessary for the erection of a State Armory, for the manufacture of small arms and munitions of war.

On motion, the same was received, and 150 copies ordered to be printed for the use of the Senate, and made the special order for Thursday next.

The Senate took up, as the report of the Committee of the Whole, a bill to authorize guardians of free persons of color to make returns to the Ordinaries of this State, and for other purposes.

The report was agreed to, the bill was read the third time and passed.

The Senate took up, as the report of the Committee of the Whole, a bill to add another section to the Penal Code.

Mr. Allred moved to amend the report by applying the provisions of the bill to the county of Pickens alone; which was agreed to.

The report as amended was agreed to, the bill was read the third time and passed.

The Senate took up, as the report of the Committee of the Whole, a bill to amend the incorporation act of the town of Grantville, in the county of Coweta, passed on the 13th February, 1854.

Mr. Harris of Dougherty moved to amend the report by adding an additional section, incorporating Albany Chapter No. 15, and changing the caption to correspond therewith; which was agreed to.

Mr. Harris of Dougherty moved further to amend the report by adding an additional section, incorporating Albany Lodge No. 21.

On motion, the bill and amendments were laid on the table for the present.

The Senate took up, as the report of the Committee of the Whole, a bill to incorporate the town of Tallapoosa, in the county of Haralson.

Mr. Collier moved to amend the report by adding an additional section, amending the act incorporating the Grand Lodge, Knights of Jericho; which was agreed to.

The report as amended was agreed to, the bill was read the third time, and passed.

The Senate took up, as the report of the Committee of the Whole, a bill to punish persons for obstructing the navigation in Pendleton creek, in the county of Tattnall.

The report was agreed to. The bill was read the third time and passed.

The Senate took up, as the report of the Committee of the Whole, a bill to authorize the Justices of the Inferior Court of Baker county to pay to the tax receiver of said county a per centage for the county tax.

The report was agreed to, the bill was read the third time and passed.

Mr. Spalding introduced a bill to provide for the public defence, and for other purposes; which was read the first time.

Mr. Lawton, chairman of the Committee on the Judiciary, made the following report, to-wit:

The Committee on the Judiciary beg leave to report that they have had the following bills, which were referred by the Senate, under consideration, to-wit:

A bill to be entitled an act to require the Judges of the Superior Courts of this State to give their charges to the jury in writing in the cases therein provided.

And they report this bill back, and recommend that the same do pass.

Also, a bill to be entitled an act for the relief of all married persons in this State, whose husbands or wives have willfully and without just cause abandoned them for the term of seven years.

And they recommend that the same do not pass.

Also, a bill to be entitled an act to authorize Ordinaries of this State to dispose of insolvent estates when the same shall not exceed the sum of one hundred dollars.

And they recommend that the same do pass.

Also, a bill to be entitled an act to further protect the rights and interests of minors and orphans.

And they recommend that this bill do not pass.

Also, a bill to be entitled an act to repeal an act entitled an act to abolish in-

tions herein set forth, and for other purposes, assented to December 11th, 1858.

And they report this bill back to the Senate with a substitute, and recommend that the substitute do pass.

A. R. LAWTON, Chairman.

The Senate took up, as the report of the Committee of the Whole, a bill to incorporate Poplar Spring Methodist Episcopal Church, in the county of Franklin.

Mr. Seward moved to amend the report by adding an additional section, amendatory of the several acts incorporating the town of Thomasville; which was agreed to.

The report as amended was agreed to. The bill was read the third time, and passed.

The Senate took up, as the report of the Committee of the Whole, a bill to compensate the sheriff of Banks county for summoning jurors.

Mr. Cowen moved to amend the report by adding an additional section, compensating the sheriff of Milton county; which was agreed to.

Mr. Moore of Whitfield moved further to amend the report by adding an additional section, compensating the sheriff of Whitfield county; which was agreed to.

Mr. Collier moved further to amend the report by adding an additional section, compensating the sheriff and deputy sheriff of Fulton county; which was agreed to.

The report as amended was agreed to, the bill was read the third time, and passed.

The Senate took up, as the report of the Committee of the Whole, a bill to incorporate the Amnecalola Creek Hydraulic Hose Mining Company, of the counties of Dawson and Lumpkin, and for other purposes.

Mr. Riley moved to amend the report by adding an additional section, incorporating the Auraria Mines of Georgia; which was agreed to.

The report as amended was agreed to. The bill was read the third time, and passed.

The Senate took up, as the report of the Committee of the Whole, a bill to authorize the Board of Education of Butts county, to allow and to require the Ordinary of said county to pay to Addison Talliaferro, a teacher of poor children for the year 1857, and Thomas J. Hammond, a teacher of poor children for the year 1855, out of any money belonging to the poor school fund in said county.

The report was agreed to. The bill was read the third time and passed.

The Senate took up, as the report of the Committee of the Whole, a bill to amend an act approved 27th February, 1856, entitled an act to incorporate Ocmulgee Mills, in Butts county, and to increase the capital stock of the same.

The report was agreed to, the bill was read the third time and passed.

The Senate took up, as the report of the Committee of the Whole, a bill to provide for the removal of the public buildings in the county of Clinch, and for other purposes.

The report was agreed to, the bill was read the third time and passed.

The Senate took up, as the report of the Committee of the Whole, a bill to incorporate the Annacalola Methodist Episcopal Church Camp Ground.

The report was agreed to. The bill was read the third time and passed.

The Senate took up, as the report of the Committee of the Whole, a bill to amend an act for preventing and punishing vice, profaneness, and immorality, and for keeping holy the Lord's Day, commonly called Sunday, approved March 4th, 1762.

On motion, the same was referred to the Committee on the Judiciary.

The Senate took up, as the report of the Committee of the Whole, a bill to repeal any and all laws making it penal for carrying concealed weapons.

On motion, the same was referred to the Committee on the Judiciary.

The Senate took up, as the report of the Committee of the Whole, a bill to change the name of Theodosia Orianna Thompson, and for other purposes.

On motion, the same was indefinitely postponed.

The Senate took up, as the report of the Committee of the Whole, a bill to authorize executors and trustees to invest money of married women and children in land and negroes.

On motion, the same was referred to the Committee on the Judiciary.

Leave of absence was granted Mr. Cloud for a few days on special business.

Mr. Cook offered the following resolution, which was taken up, read, and agreed to :

Resolved, That the Committee on printing be instructed to report the probable cost of printing and publishing in the Journal of the Senate the proceedings of the various county meetings which have been presented to this body and read by the Secretary.

On motion, the Senate adjourned until 3 o'clock P. M.

THREE O'CLOCK, P. M.

Senate met according to adjournment.

The Senate took up the following bills of the House of Representatives, which were severally read the second time and referred to the Committee of the Whole:

A bill to be entitled an Act the better to protect the importers of foreign laborers. Also,

A bill for the relief of widows in certain cases therein mentioned. Also,

A bill to change the time of holding the Superior Court of the county of Bibb. Also,

A bill to change the fourteenth section of the thirteenth Division of the Penal Code of this State. Also,

A bill to change the forty-fourth section of the eighth Division of the Penal Code of this State. Also,

A bill to repeal an Act to allow Andrew J. Wootten, of the county of Telfair, to peddle and vend goods in the counties of Telfair, Pulaski, Laurens, Montgomery, Appling, Coffee, Irwin and Lowndes, free of license, and other persons therein named; approved March 5th, 1856. Also,

A bill to extend the provisions of an Act passed December 19th, 1859, to allow and make compensation to the Reporter of the Supreme Court for certain volumes of the decisions of said Court furnished by him under the provisions of the Act of 1845, so as to include thereip the former Reporter of said Court. Also,

A bill to authorize the legal representatives of intestates and testatators of other States to sue in this State. Also,

A bill to amend an Act organizing the Independent Volunteer Battalion of Augusta; approved March 3d, 1856, and for other purposes. Also,

A bill to amend the charter of the South Western Rail Road Company, and to authorize a further increase of the capital stock of said company, and to grant to said company banking powers and privileges, and for other purposes. Also,

A bill to compensate the Grand and Petit Jurors of the counties of Brooks, Mitchell, Clinch, Pierce, Glynn, Laurens, Lowndes and Milton, and to authorize the levying of a tax for the same. Also,

A bill to exempt practicing Physicians in the counties of Jasper, Dade, Laurens and Monroe from jury duty in the said counties. Also,

A bill to amend an Act to incorporate the Columbus Savings and Mutual Loan Association; approved March 1st, 1856. Also,

A bill to confer upon the Inferior Courts of the several counties in this State power to establish, change or abolish election precincts within the same. Also,

A bill to appoint three Trustees for the Georgia Institute for the Deaf and Dumb, and for other purposes. Also,

A bill to incorporate the town of Trenton, in the county of Dade, and for other purposes. Also,

A bill to incorporate Pine Grove Lodge No. 177, of Free and accepted Masons at Bear creek, Henry county, Georgia. Also,

A bill to incorporate Mulberry Methodist Camp Ground in Gwinnett county, and to appoint Trustees for the same. Also,

A bill to incorporate Bear Creek Academy, in the county of Henry, in the State of Georgia. Also,

A bill to amend an Act incorporating the Bainbridge Volunteers, and to confer certain privileges upon the same. Also,

To incorporate the Atlanta Grays, in the city of Atlanta, in the county of Fulton. Also,

A bill to extend aid to the Oglethorpe Medical College. Also,

A bill to appropriate money for the support of the pupils of the Georgia Academy for the Blind. Also,

A bill to incorporate the Second Baptist Church, Kollock street, Augusta, Georgia, and for other purposes. Also,

A bill for the relief of Sterling S. Jenkins. Also,

A bill to incorporate the Trustees of the Oconee Hill Cemetery, and to confirm the title to lots sold therein. Also,

A bill to change the lines between the counties of Calhoun and Baker. Also,

A bill explanatory of an Act to incorporate College Temple, in Newnan, Georgia, and to confer powers on the same. Also,

A bill for the relief of George W. Reaves, of Pike county. Also,

A bill to incorporate the St. Marys' Volunteers, a Company of Infantry in the city of St. Marys, Camden county and State of Georgia, and to authorize the Governor to furnish suitable arms and equipments for said Company. Also,

A bill to authorize Wilkerson Sparks, administrator with the will annexed of John Sparks, deceased, and administrator of Elizabeth Sparks and William A. Sparks, deceased, late of Harris county, to sell the land and negroes belonging to said estates, on the first Tuesday in December, eighteen hundred and sixty. Also,

A bill to change the time of holding the Inferior Courts in the county of Glascock. Also,

A bill to authorize the Inferior Court of the county of Hancock to levy an extra tax for county purposes. Also,

A bill to alter the sixth section of the third article of the Constitution of this State, so far as relates to the day on which the Ordinaries are elected. Also,

A bill to make the Inferior Court of the county of Lowndes successors in office to the Commissioners appointed under an act to remove the county site of said county, and to change the line between Brooks and Lowndes counties, and for other purposes. Also,

A bill to amend an act to repeal an act to amend the road laws of this State, passed the 19th December, 1818, approved December 21st, 1822, so far as relates to the county of Cherokee, and for other purposes. Also,

A bill to change the times of holding the elections for county offices, Judges of the Superior Courts, Attorney and Solicitors General (except Ordinaries) in this State, assented to December 16th, 1859. Also,

A bill to authorize the Clerk of the Inferior Courts of Jasper county, appointed by the Justices of said Court, to fill the vacancy occasioned by the death of James E. Shropshire, late Clerk of said county. Also,

A bill to consolidate the offices of Tax Receiver and Collector, for the county of Dade. Also,

A bill to repeal an act to alter and amend the road laws of this State, so far as relates to the county of Lumpkin; assented to the 16th December, 1857. Also,

A bill to amend an Act to incorporate the Presbyterian Church of Walthourville, Liberty county, and to incorporate the Savannah flour mill Company; assented to December 10th, 1858. Also,

A bill to amend the Charter of the city of Darien, Georgia, so far as the election of Mayor is concerned. Also,

A bill to incorporate the town of Acworth, in the county of Cobb, and for other purposes. Also,

A bill to authorize William P. Burgamy, of the State of Alabama, to become the Guardian of his father John Burgamy, a lunatic of Fayette county. Also,

A bill to incorporate the B'Nai Briss (United Brothers) association of Savannah. Also,

A bill to authorize the Ordinary of Chattahoochee county to pay school accounts. Also,

A bill to compensate the tax receiver of Clark county for services rendered.

The Senate took up the following bills of the House of Representatives, which were severally read the second time, and ordered to be engrossed.

A bill to authorize the Inferior Court of Ware county to order a vote of the citizens of said county relative to building of a new Court House, the changing of the site thereof, and for other purposes. Also,

A bill to prevent the taking and carrying away the wood or timber from the lands of another, in the county of Fulton, and for other purposes.

The Senate took up the following bill of the House of Representatives, which was read the second time and referred to the Committee on the Judiciary.

A bill to incorporate the Home Loan Association, and the People's Mutual Loan Association of Augusta, and for other purposes therein mentioned.

The following Message was received from the House of Representatives, by Mr. Hillyer, their Clerk:

Mr. President: The House of Representatives have passed the following bills, to-wit:

A bill to incorporate the Pioneer Hook and Ladder Company No. 1., in the town of Athens.

A bill for the relief of Charles Whitlock, of DeKalb county.

A bill to alter and amend the Road Laws of this State, so far as relates to the county of Camden.

A bill to change the times of holding the Superior and Inferior Courts of the county of Clay, and for other purposes.

A bill to repeal an act to exempt negroes employed by contractors in the construction of Rail Roads, from liability to work on roads on certain conditions.

A bill for the relief of the children of Littleberry James, deceased.

A bill for the protection of Camden and Glynn counties.

A bill to repeal an Act assented to December 15th, 1859, to require itinerant traders to procure license, &c.

They have passed the following bill of the Senate, with an amendment, in which they ask the concurrence of this branch of the General Assembly:

A bill to grant relief to the Banks and the People of this State, and to repeal certain clauses of the act entitled an act to provide against the forfeiture of the several Bank Charters in this State on account of the non-specie payment for a given time, and for other purposes, passed in the year 1857, and to suspend the pains and penalties imposed upon the several Banks and their officers in this State, for the non-payment of specie, and for other purposes.

The Senate took up the following bills of the House of Representatives, which were severally read the first time:

A bill to incorporate the Pioneer Hook and Ladder Company No. 1, in the town of Athens. Also,

A bill to alter and amend the Road Laws of this State, so far as relates to the county of Camden. Also,

A bill for the relief of Charles Whitlock, of DeKalb county. Also,

A bill to change the time of holding the Superior and Inferior Courts of the county of Clay, and for other purposes. Also,

A bill to confer additional powers upon the Justices of the Inferior Courts of the several counties of this State, and for other purposes therein named. Also,

A bill for the relief of the children of Littleberry James, deceased. Also,

A bill to repeal an act to exempt negroes employed by contractors in the construction of Rail Roads, from liability to work on roads on certain conditions. Also,

A bill for the protection of Camden and Glynn counties. Also,

A bill to repeal so much of an act assented to December 15th, 1859, entitled an act to levy a tax on all goods peddled in this State, or sold by sample or otherwise, by itinerant drummers, or other persons, as affects certain citizens of this State, and for other purposes.

The Senate took up the following bills, which were severally read the second time, and referred to the Committee of the Whole:

A bill to change the mode of ascertaining the number of children in the county of Lumpkin, who are entitled to the benefit of the common school fund for said county. Also,

A bill to incorporate the Mount Vernon Church and Academy, in the county of Walton, and for other purposes. Also,

A bill to authorize changes in the public roads of this State upon the conditions therein mentioned. Also,

A bill to incorporate the town of Bethany. Also,

A bill to authorize the Inferior Court of Putnam county to levy an Educational and Military tax. Also,

A bill to dispose of certain lands drawn in the lotteries of this State in the years 1803, 1805, 1820, 1821, 1827, and 1832, upon certain conditions therein named. Also,

A bill to change the line between the counties of Irwin and Wilcox. Also,

A bill to postpone the operation of an act to regulate foreign Insurance Companies, and for other purposes. Also,

A bill to amend an act for the relief of the counties of Muscogee and Talbot, and the city of Columbus, and for other purposes. Also,

A bill to authorize and require the Ordinary of Lumpkin county to pay William McGehee for teaching poor children in said county. Also,

A bill to authorize the Inferior court of Lumpkin county to levy an extra tax. Also,

A bill to incorporate the town of Talbotton. Also,

A bill to define the boundary line between the counties of

Chattahoochee and Muscogee so as to include the plantation of Gabriel Toombs in the county of Muscogee. Also,

A bill amendatory of an act, to amend the patrol laws of this State, approved Feb. 20th, 1854, so far as relates to the county of Effingham; also,

A bill to prevent the obstruction of the waters of Noltey River, in the county of Union; also,

A bill to amend an act to incorporate the Orphans Home; also,

A bill to incorporate Tabula Male and Female institute in the town of Oglethorpe, Macon county; also,

A bill amendatory of the several acts heretofore passed relative to the LaGrange Female College, and for other purposes; also,

A bill to amend an act to give to all persons employed on all steamboats and other water-crafts on the Chattahoochee, Altamaha and Ocmulgee Rivers, a lien for his, her or their labor, and for other purposes; also,

A bill to furnish arms to the Military Department of Brownwood Institute; also,

A bill to incorporate the Dooly Grays, a Volunteer Company of Infantry in Dooly county, and for other purposes; also,

A bill to authorize Justices of the Peace in Mitchel county to appoint patrol commissioners; also,

A bill to change the line between the counties of Clayton and Fulton; also,

A bill to authorize the Ordinary of Chattooga county to pay poor school accounts of John A. Rose and John Hammonds; also,

A bill to amend an act to incorporate the town of Carnesville in the county of Franklin; also,

A bill to lend the credit of the State of Georgia to the Marietta, Ellijay and Ducktown Railroad company, upon the conditions therein named; also,

A bill to change the line between the counties of Walton and Newton, and also between the counties of Newton and Jasper; also,

A bill to amend an act passed Dec. 18th, 1792, to revise and amend an act for ascertaining the fees of public officers of the State; also,

A bill to prevent persons driving cattle of the cow kind into the county of Gilmer from distempered places; also,

A bill to provide by law for the permanent distribution of the school fund, to which the county of Whitfield may be entitled; also,

A bill to incorporate the Homer High School; also,

A bill to allow Rufus Barker of the county of Floyd to practice medicine and charge therefor; also,

A bill to compel persons owning 5000 or more acres of

land in the counties of Telfair and Montgomery, to give the same in and pay taxes for the same in the county where the said land lies ; also,

A bill to change the line between the counties of Catoosa and Whitfield ; also,

A bill to authorize the Dalton and Jacksonville Railroad company, to extend their line to the North Carolina line, and to consolidate with other Railroad companies in Georgia, Alabama, and North Carolina ; also,

A bill to incorporate the Columbia Volunteers and the Thomaston Guards, in the county of Columbia ; also,

A bill for the relief of Origin A. V. Rose and Mary M. Wallace, formerly Mary M. Mitchell, of Pulaski county ; also,

A bill to incorporate the Camden Rifles, and to change the name of the Chasseurs of Horse, of Camden county to the Camden Troup.

The Senate took up the following bills, which were severally read the second time, and referred to the committee on the Judiciary :

A bill to compel Trustees, Guardians, Administrators, and Executors to pay into court from time to time such portions of the income of the estate of cestue que trusts legatees, distributees, as shall be necessary to carry on litigation, and support said parties during the pendency of the same, and for other purposes ; also,

A bill to change the name of Jane Bennett Edes, to that of Jane Davis Bennett ; also,

A bill to add an additional section to the 13th Division of the Penal Code, and for other purposes ; also,

A bill to authorize the Clerks of the Superior and Inferior Courts and Justices of the Peace of this State to issue *cas.* in certain cases ; also,

A bill to amend the fourth division of the Penal Code of this State ; also,

A bill to incorporate the American Agency Company ; also,

A bill to extend the provisions of the act of 1857, to all trustees.

The Senate took up the following bill of the House of Representatives which was read the second time, and referred to a special committee of nine :

A bill to appropriate money to the Medical College of Georgia, at Augusta.

In pursuance of which the President appointed Messrs. McGehee, Flewellen, Morris, Smith, of Hancock, Cook, Oliver, Gartrell, Bartlett and Harris, of Worth, as said committee.

The Senate took up the following bill, which was read the second time and referred to the committee on new counties and county lines:

A bill to add 369th district of Putnam to Jasper county.

The Senate took up the following bills which were severally read the second time, and ordered to be engrossed:

A bill to authorize the Governor to furnish arms to Volunteer Companies not uniformed; also,

A bill to transfer all suits from the Superior Court of the county of Heard, in which B. H. Wright is defendant, and all papers appertaining to the same, to the Superior Court of the county of Carroll.

The Senate took up the following bill which was read the second time, and referred to the committee on Agriculture:

A bill to amend an act to regulate the freight on lime on the Western and Atlantic Railroad, so as to require said Railroad to transport lime for agricultural purposes in bulk.

The following message was received from His Excellency the Governor, by Mr. Campbell, his Secretary, to-wit:

Mr. President: The Governor has approved and signed the Resolution bringing on the election of Electors to cast the vote of Georgia for President and Vice President on Thursday the 29th inst.

On motion the Senate then adjourned until 9½ o'clock tomorrow morning.

TUESDAY, NOVEMBER 27TH, 1860. }

9½ o'clock, A. M. }

Senate met according to adjournment, and was opened with prayer by Rev. Mr. Sherwood.

Mr. Seward moved to reconsider so much of the Journal of yesterday as relates to the vote by which a bill of the House of Representatives to authorize the Inferior Court of Ware county, to order a vote of the citizens of said county, relative to the building of a new Court House, the changing of the site thereof, and for other purposes, was ordered to be engrossed, which was agreed to.

Leave of absence was granted Mr. Griffin of Brooks on account of indisposition.

Leave of absence was granted Mr. Jordan for a few days on account of the sickness of his family.

On motion of Mr. Collier, the rules were suspended, and the Senate took up the following bill of the Senate which had been amended by the House of Representatives, to-wit :

A bill to grant relief to the banks and the people of this State, to repeal certain clauses of the act entitled an act to provide against the forfeiture of the several Bank Charters in this State, on account of the non-specie payment for a given time, and for other purposes, passed in the year 1857, and to suspend the pains and penalties imposed upon the several banks and their officers in this State, for the non-payment of specie, and for other purposes.

Mr Collier moved that the Senate concur in the first amendment of the House of Representatives, which was to strike out the word "five" in the fourth section; upon agreeing to which motion, Mr. Oliver required the yeas and nays, which being recorded were yeas 62, nays 23.

Those who voted in the affirmative were Messrs.

Ashley, Atkinson, Billups, Brown, Carter of Echols, Carter of Elbert, Chester, Cloud, Collier, Cooper, Cook, Crittenden, Denham, Duncan, Evans, Ferrell, Flewellen, Fulton, Gartrell, Glover, Greene, Grice, Hackett, Hart, Harris of Dougherty, Head, Hill of Wilkes, Hines, Jamison, Johnson of Clayton, Johnson of Cass, Jones, Lamar, Lawton, Lockhart, Lott, Maples, Morris, Poole, Reid of Morgan, Riley, Robinson, Rushin, Seward, Shelton, Sirman, Smith of Hancock, Smith of Talbot, Spalding, Stowers, Sturges, Tarver, Tillman, Turner, Usry, Ward, Ware, Wells, White, Williams of Berrien, Williams of Rabun, Wilson.

Those who voted in the negative are Messrs.

Allred, Barclay, Bond, Cone, Cowen, Harris of Worth, Hyde, Ivey, Kirby, Maddox, Merrill, McRae, Moore of Whitfield, Oliver, Quillian, Ritch, Roberts, Sawyer, Shellnut, Summerour, Wallace, Whitworth, Young.

So the first amendment of the House of Representatives was concurred in.

On motion the other amendments of the House of Representatives were concurred in.

Mr. Chester introduced a bill to compensate the Sheriff of Decatur county for summoning Jurors ; which was read the first time.

Mr. Cloud introduced a bill to authorize the Inferior Court of Henry county to levy an extra tax for the support of the

indigent poor of said county ; which was read the first time.

Mr. Evans introduced a bill to confer certain powers and privileges on the tax collector and tax payers of Stewart county ; which was read the first time.

Mr. Evans offered the following resolution, which was read :

Whereas, The Trustees of Lumpkin Female College propose to donate by legal conveyance to the State, the grounds, buildings, apparatus, library, and all appurtenances belonging to the said Female College, upon condition that the same shall be endowed and controlled by the State, in pursuance of the message of his Excellency the Governor, advising the establishing of a Normal Female School in this State,

Resolved, That the Committee on Public Education and Free Schools, be instructed to take said proposition into consideration, and report whether it would be expedient for the State to enter upon any negotiations with the said trustees for the purposes aforesaid.

Mr. Flewellen offered the following resolution, which was read :

Resolved, That all bills for the incorporation of Volunteer Companies, which have been, or may hereafter be introduced, be referred to the Military Committee with instructions to report a general bill.

Mr. Gartrell introduced a bill to alter and amend the patrol laws of this State, and for other purposes therein mentioned ; which was read the first time.

Mr. Collier introduced a bill to amend the charter of the Georgia Western Railroad Company, and for other purposes ; which was read the first time. Also,

A bill for the relief of Elzy B. Reynolds ; which was read the first time.

Mr. Griffin, of Twiggs, introduced a bill to incorporate the Twiggs Volunteers, and for other purposes ; which was read the first time.

Mr. Lawton introduced a bill to incorporate the Fire Insurance Company of the city of Savannah ; which was read the first time.

Mr. Johnson, of Clayton, introduced a bill to consolidate the offices of Clerk of the Superior and Inferior Courts of Clayton county ; which was read the first time.

Mr. Cook introduced a bill to incorporate the town of Montezuma, in Macon county, and to repeal the 12th, 13th,

and 14th sections of an act approved 8th February, 1854; which was read the first time.

Mr. Moore, of Whitfield, introduced a bill to prevent the dismissal of cases pending in favor of the Central Bank of Georgia, on account of the expiration of the charter of said Bank; which was read the first time.

Mr. Printup introduced a bill to amend an act to authorise the City Council of Rome to subscribe one hundred thousand dollars of stock in the Georgia and Alabama Railroad Company upon certain conditions, and for other purposes, passed December 22d, 1857; which was read the first time.

Mr. McGehee offered the following resolution, which was read:

Resolved, That the Judiciary Committee be requested to examine an act passed in 1858, authorising Ordinaries of this State to issue cost fi. fas., and if they consider it expedient, to report a bill requiring Ordinaries in this State to serve administrators, executors, and guardians, and their securities with notice of the cost due before issuing fi. fas. for cost due them.

Mr. Poole introduced a bill to make the representatives of estates subject to garnishment in certain cases therein named; which was read the first time.

Mr. Quillian introduced a bill to legalize the marriage of J. M. Painter and Cynthia Robinson, of Gilmer county; which was read the first time.

Mr. Ritch introduced a bill to create a new county out of the counties of Wayne and Appling; which was read the first time.

Mr. Riley introduced a bill to amend an act to lay out and organize a new county from the counties of Lumpkin and Gilmer, assented to Dec. 3d, 1857; which was read the first time.

Mr. Sawyer presented the proceedings of a meeting of the citizens of Randolph county, relative to our Federal relations; which was read.

Mr. Sturges introduced a bill to incorporate the Hephzibah High School, in the county of Richmond, and for other purposes; which was read the first time.

Mr. Fulton introduced a bill to legalize the acts and doings of A. B. Dearing, as administrator of his father, Wm. Dearing, deceased; which was read the first time.

Mr. Wilson introduced a bill to amend an act to incorporate the town of Springplace, in Murray county, and for other purposes; which was read the first time.

The Senate took up as the report of the Committee of

the Whole, a bill to incorporate the Young Female College, in the county of Thomas.

The report was agreed to. The bill was read the third time and passed.

On motion the same was ordered to be transmitted forthwith to the House.

The Senate took up, as the report of the Committee of the Whole, a bill to change the county line between the counties of Forsyth and Milton.

The report was agreed to. The bill was read the third time and passed.

The Senate took up, as the report of the Committee of the Whole, a bill to define the line between the counties of Milton and DeKalb.

The Committee on New Counties and County Lines, to whom said bill was referred, reported in favor of its passage.

The report was agreed to, the bill was read the third time and passed.

The Senate took up as the report of the committee of the whole, a bill to relieve certain citizens of Gilmer county, for illegal voting.

The report was agreed to. The bill was read the third time and passed.

The Senate took up as the report of the committee of the whole, a bill to authorize Ordinaries of this State to dispose of insolvent estates when the same shall not exceed the sum of one hundred dollars.

The Committee on the Judiciary to whom said bill was referred, reported in favor of its passage.

The report was agreed to. The bill was read the third time and passed.

The Senate took up as the report of the committee of the whole, a bill to authorize Constables in any Militia District in this State, to serve writs and other process of law outside of their respective Districts in certain cases.

The report was agreed to. The bill was read the third time and passed.

The Senate took up as the report of the committee of the whole, a bill to incorporate Dallas Male and Female Academy and to appoint Trustees therefor.

The report as amended was agreed to, the bill was read the third time and passed.

The Senate took up as the report of the committee of the whole, a bill to incorporate the Savannah, Western and Central Wharf company.

The report as amended was agreed to. The bill was read the third time and passed.

The Senate took up as the report of the committee of the whole, a bill to authorize the Ordinary Court of Chatham county to pay certain moneys.

The report was agreed to. The bill was read the third time and passed.

The Senate took up as the report of the committee of the whole, a bill to change the time of holding the Superior Courts of Muscogee county.

The report was agreed to. The bill was read the third time and passed.

The Senate took up as the report of the committee of the whole, a bill to protect the owners of stock in this State, and for other purposes.

On motion the same was referred to a special Committee of five.

In pursuance of which motion the President appointed Messrs. Harris, of Worth, Hyde, Paine, Cannon and Harris, of Dougherty, as said Committee.

The Senate took up as the report of the committee of the whole, a bill to provide for the survey of lands claimed as exempt under the Statute assented to Dec. 11th 1841, and for other purposes.

The report was agreed to. The bill was read the third time and passed.

The Senate took up as the report of the Committee of the whole, a bill to authorize the Justices of the Inferior Court of Chatham county to levy and collect an extraordinary tax for the building of a new Jail for said county, and for other purposes.

The report was agreed to, the bill was read the third time and passed.

The Senate took up as the report of the committee of the whole, a bill to add an additional section to the penal laws of this State relative to slaves.

The committee on the Judiciary to whom said bill was referred, reported in favor of its passage.

The report was agreed to, the bill was read the third time and passed.

The Senate took up as the report of the Committee of the whole, a bill to revise the jury system of this State.

On motion the same was made the special order for Friday, the 30th inst.

The Senate took up as the report of the committee of the whole, a bill to repeal an act to abolish imprisonment for debt on certain conditions herein set forth, and for other purposes, assented to Dec. 11th, 1858.

The committee on the Judiciary, to whom said bill was referred, reported the following as a substitute in lieu of the original bill, to-wit:

A bill to repeal an act to abolish imprisonment for debt on certain conditions herein set forth, and for other purposes,

assented to Dec. 11th, 1858, and to provide a mode for changing bail; which was adopted.

The report as amended, was agreed to, the bill was read the third time and passed.

The Senate took up as the report of the committee of the whole, a bill to incorporate the town of Summerville, and for other purposes.

Mr. Bartlett moved to amend the report by adding additional sections amendatory of the charter of the town of Monticello in Jasper county; which was agreed to.

The report as amended was agreed to, the bill was read the third time and passed.

The Senate took up as the report of the committee of the whole, a bill to amend the patrol laws of this State so far as relates to the county of Bryan.

Mr. Hart moved to amend the report by adding the following proviso to the 4th section:

Provided, That all owners of slaves, who reside on their plantations at all times of the year, shall be exempted from the operations of this section; which was agreed to.

The report as amended was agreed to, the bill was read the third time and passed.

The Senate took up as the report of the committee of the whole, a bill to amend an act to alter and amend the patrol laws of this State, approved Feb. 20th, 1854, so far as relates to the county of Dougherty.

Mr. Harris, of Dougherty moved to amend the report by adding an additional section; which was agreed to.

The report as amended was agreed to, the bill was read the third time and passed.

The Senate took up as the report of the committee of the whole, the following reconsidered bill to-wit: A bill to repeal an act to authorize the Justices of the Inferior courts of the several counties in this State to create and lay out any new districts or change and alter the lines of those already laid out, assented to 23d Dec. 1839, so far as relates to the counties of Habersham and Rabun.

Mr. Ivey offered the following bill as a substitute in lieu of the original bill.

A bill to repeal an act approved Dec. 29th. 1847, entitled an act to repeal an act to authorize the Justices of the Inferior Courts of the several counties in this State to create and lay out any new districts, or to change and alter the lines of those already laid out, assented to 23d Dec., 1839, so far as relates to the counties of Habersham and Rabun; which was adopted.

The report as amended was agreed to, the bill was read the third time and passed.

The Senate took up as the report of the committee of the whole, a bill to define the boundary line between the coun-

ties of Chattahoochee and Muscogee, so as to include the plantation of Gabriel Toombs in the county of Muscogee.

Mr. Hill, of Wilkes, moved to amend the report by specifying the number of the lots of land included in said plantation; which was agreed to.

The report as amended was agreed to, the bill was read the third time and passed.

The Senate took up as the report of the committee of the whole, a bill to authorize the Ordinary of Walton county, to pay Mrs. C. J. Edwards, formerly Miss C. J. Johnston, for teaching certain poor children in said county.

Mr. Jones moved to amend the report by adding an additional section requiring the Ordinary of Newton county to pay Samuel Lindsey a teacher of poor children the sum of sixty dollars due him; which was agreed to.

The report as amended was agreed to, the bill was read the third time and passed.

The Senate took up as the report of the committee of the whole, a bill to authorize the Inferior Court of Lumpkin county, to levy an extra tax on the State tax, for the purpose, of repairing and improving the Court House and public square, in said county.

Mr. Riley moved to amend the report by the following as a substitute in lieu of the original bill, to-wit:

A bill to authorize the Justices of the Inferior Court of Lumpkin county or a majority of them to levy an additional and extra tax for the purpose of repairing the Court House of said county, and for other purposes; which was agreed to.

The report as amended was agreed to, the bill was read the third time and passed.

The Senate took up as the report of the committee of the whole, a bill to compel Guardians of free negroes in the county of Walker to have said free negroes reside on the premises of such Guardian, and for other purposes.

Mr. Bond moved to amend the report by inserting after the word "guardian," wherever it appears in said bill, the words "or employer;" which was agreed to.

Mr. Seward moved further to amend the report by extending the provisions of this bill to the county of Thomas; which was agreed to.

The report as amended was agreed to, the bill was read the third time and passed.

The Senate took up as the report of the committee of the whole, a bill amendatory of the laws in relation to the trial of cases of illegality to executions issued from Justices Courts.

On motion the same was indefinitely postponed.

The Senate took up as the report of the committee of the whole, a bill to authorize Stephen McCall, Executor of the

last will and testament of Joseph Lowther, to settle with the legatees.

On motion the same was indefinitely postponed.

The Senate took up as the report of the committee of the whole, a bill to define the manner in which teachers of poor children must proceed to procure their pay who have not returned, or who may hereafter fail to return their accounts to the Ordinary according to law.

Mr. Lenoir moved to amend the report by the following bill as a substitute in lieu of the original bill:

A bill to define the manner in which teachers of poor children, must proceed to procure their pay who have not returned or who may hereafter fail to return their accounts to the Ordinary according to law ; which was agreed to.

Mr. Oliver moved further to amend the report by adding an additional section, requiring the Ordinary of Heard county to pay to Moses T. Almond, of Heard county, the sum of eleven dollars and sixty cents for the year 1857, and to Wm. M. F. Watts, agent for David A. Mance, nine dollars and sixty cents, for teaching poor children in 1858 ; which was agreed to.

The report as amended was agreed to, the bill was read the third time and passed.

Mr. Lawton, Chairman of the Committee on the Judiciary, made the following report :

The Committee on the Judiciary beg leave to report that they have had the following bills, which were referred by the Senate, under consideration, to-wit :

A bill to be entitled an act to regulate the admission of evidence in the several Courts of Law and Equity, and before arbitration in this State, and they report this back to the Senate, and recommend that the same do pass ; also,

A bill to be entitled an act to abolish the usury law now of force in this State, so far as relates to promises in writing, when the rate of interest is expressed in the written promises to pay, and they report this back, and recommend that the same do pass ; also,

A bill to be entitled an act to amend an act, assented to December the 15th, 1859, relative to itinerant traders in this State.

A bill repealing the act which this proposes to amend having passed the Senate, the committee recommend that this bill lie on the table ; also,

A bill to be entitled an act, to revise the jury system of this State, and they recommend that this bill do pass ; also,

A bill to be entitled an act for the relief of sureties upon the bonds of county officers, in this State, and for other pur-

poses ; and they recommend that the same do not pass ; also,

A bill to be entitled an act, the better to secure and protect the rights of married women, and for other purposes ; and they recommend that this bill do not pass ; also,

A bill to be entitled an act, to add an additional section to the Penal Laws of this State relative to slaves ; and they recommend that the same do pass.

A. R. LAWTON, Chairman.

The Senate took up as the report of the committee of the whole, a bill for the relief of securities upon the bonds of county officers in this State, and other purposes.

The report was agreed to.

Pending the consideration of the passage of the bill the hour of adjournment having arrived the President adjourned the Senate until 3 o'clock, P. M.

THREE O'CLOCK P.M.

Senate met according to adjournment.

The Senate took up, as the report of the Committee of the Whole, the following bill of the House of Representatives:

A bill to authorize the Ordinary of Chattahoochee county to pay poor school accounts.

The report was agreed to, the bill was read the third time and passed.

The Senate took up, as the report of the Committee of the Whole, the following bill of the House of Representatives:

A bill to incorporate the town of Acworth, in the county of Cobb, and for other purposes therein mentioned.

The report was agreed to, the bill was read the third time, and passed.

The Senate took up, as the report of the Committee of the Whole, the following bill of the House of Representatives:

A bill to compensate the Tax Receiver of Clark county for services rendered.

The report was agreed to, the bill was read the third time, and passed.

The Senate took up, as the report of the Committee of the Whole, the following bill of the House of Representatives:

A bill to incorporate the B'Nai Briss (United Brothers) Association of Savannah.

The report was agreed to. The bill was read the third time and passed.

The Senate took up, as the report of the Committee of the Whole, the following bill of the House of Representatives:

A bill to change the time of holding the Inferior Courts in the county of Glascock.

The report was agreed to. The bill was read the third time and passed.

The Senate took up, as the report of the Committee of the Whole, the following bill of the House of Representatives:

A bill to authorize the Inferior Court of the county of Hancock to levy an extra tax for county purposes.

The report was agreed to. The bill was read the third time and passed.

The Senate took up, as the report of the Committee of the Whole, the following bill of the House of Representatives:

A bill to make the Inferior Court of the county of Lowndes successors in office to the commissioners appointed under an Act to remove the county-site of Lowndes county, to change the line between said county and the county of Brooks, and for other purposes, and to authorize said Inferior Court to lay off said county of Lowndes into militia districts, and for other purposes.

The report was agreed to, the bill was read the third time and passed.

The following message was received from the House of Representatives, by Mr. Hillyer, their Clerk:

Mr. President:—The House of Representatives have concurred in a resolution of the Senate in relation to the appointment of a sub-committee on the Deaf and Dumb Asylum at Cave Spring, in Floyd county, Georgia.

Leave of absence was granted Mr. Whitehurst, on account of indisposition.

Mr. Cook presented the proceedings of a meeting of the citizens of Macon county relative to our Federal Relations; which were read.

The Senate took up, as the report of the Committee of the Whole, the following bill of the House of Representatives:

• A bill to authorize the Clerk of the Inferior Court of Jasper county, appointed by the Justices of said Court, to fill the vacancy occasioned by the death of James E. Shropshire, late Clerk of said Court.

The report was agreed to. The bill was read the third time and passed.

Mr. Harris, of Dougherty, from the Committee on Enrollment, reported, as duly enrolled and ready for the signature of the President of the Senate, the following Act,

An Act to grant relief to the banks and the people of this State, and to repeal certain clauses of the Act entitled An Act to provide against the forfeiture of the several bank charters in this State, on account of the non-specie payment for a given time, and for other purposes, passed in the year 1857, and to suspend the pains and penalties imposed upon the several banks and their officers, in this State, for the non-payment of specie; and for other purposes.

The Senate took up, as the report of the Committee of the Whole, the following bill of the House of Representatives:

A bill to consolidate the offices of Tax Receiver and Collector for the county of Dade.

The report was agreed to. The bill was read the third time and passed.

The Senate took up, as the report of the Committee of the Whole, the following bill of the House of Representatives:

A bill to repeal an Act to alter and amend the road laws of this State, so far as relates to the county of Lumpkin, assented to the 16th of December, 1857.

The report was agreed to. The bill was read the third time and passed.

Leave of absence was granted Mr. Robinson, for a few days, on special business.

The Senate took up, as the report of the Committee of the Whole, the following bill of the House of Representatives:

A bill to amend an Act entitled An Act to incorporate the Presbyterian Church of Walthoursville, Liberty county, and to incorporate the Savannah Flour Mill Company, assented to Dec. 10th, 1858.

The report was agreed to, the bill was read the third time, and passed.

The Senate took up, as the report of the Committee of the Whole, the following bill of the House of Representatives:

A bill to authorize Wilkerson Sparks, administrator, with

the will annexed of John Sparks, deceased, and administrator of Elizabeth Sparks, deceased, and administrator of William A. Sparks, deceased, late of Harris county, to sell the land and negroes belonging to each of said estates, on the first Tuesday in December, 1860.

On motion the same was indefinitely postponed.

The Senate took up, as the report of the Committee of the Whole, the following bill of the House of Representatives:

A bill to authorize Tillman P. Burgamy, of the State of Alabama, to become the guardian of his father, John Burgamy, a lunatic, of Fayette county

On motion, the same was indefinitely postponed.

The Senate took up, as the report of the Committee of the Whole, the following bill of the House of Representatives:

A bill to alter the sixth section of the third article of the Constitution of this State, so far as relates to the day on which the Ordinaries are elected.

The report was agreed to. Upon the question, "shall this bill now pass?" the yeas and nays, being recorded, were, yeas, 83; nays, 1.

Those who voted in the affirmative are Messrs.

Allred, Atkinson, Barclay, Bartlett, Billups, Boggs, Bond, Briscoe, Cannon, Carter of Elbert, Chester, Collier, Cooper, Cook, Cone, Cowen, Crittenden, Davison, Davis, Denham, Duncan, Evans, Ferrill, Fulton, Gartrell, Glover, Green, Grice, Griffin of Twiggs, Hart, Harris of Dougherty, Harris of Worth, Head, Hightower, Hill of Wilkes, Hines, Ivey, Jamison, Johnson of Clayton, Johnson of Cass, Jones, King, Lamar, Lawton, Lenoir, Lockhart, Lott, Maddox, Maples, Merrill, McGehee, Moore of Laurens, Moore of Whitfield, Morris, Oliver, Paine, Poole, Quillian, Riley, Ritch, Roberts, Rushin, Sawyer, Shelton, Shellnut, Sirman, Spalding, Sturges, Summerour, Sweat, Tarver, Turner, Tracy, Trippe, Wallace, Ware, Wellborn, White, Whitworth, Williams of Berrien, Williams of Rabun, Wilson, Young.

Mr. Hyde voted in the negative.

So the bill was passed by a constitutional majority.

Mr. Harris, of Dougherty, from the Committee on Enrollment, reported, as duly enrolled and ready for the signature of the President of the Senate,

A resolution authorizing the Committee on the Deaf and Dumb Asylum to appoint a sub-committee of three to act

in conjunction with the House Committee of five, to proceed to and examine the Asylum at Cave Springs, and report on its condition and wants to the present General Assembly.

The Senate took up, as the report of the Committee of the Whole, the following bill of the House of Representatives:

A bill to authorize the Inferior Court of Ware county to order a vote of the citizens of said county, relative to the building of a new court-house, the changing of the site thereof, and for other purposes.

The report was agreed to.

Mr. Seward moved the indefinite postponement of the bill.

Upon agreeing to which motion, the yeas and nays were recorded, and were, yeas, 37; nays, 46.

Those who voted in the affirmative are Messrs.

Allred, Barclay, Cloud, Cook, Crittenden, Deukam, Evans, Flewellen, Gartrell, Glover, Green, Griffin of Twiggs, Hackett, Harris of Worth, Hightower, Hyde, Lenoir, Maples, Merrill, Moore of Whitfield, Morris, Oliver, Poole, Roberts, Sawyer, Seward, Shelton, Shellnut, Sturges, Tillman, Trippe, Wallace, Ware, Wells, White, Whitworth, Wilson.

Those who voted in the negative, are Messrs.

Atkinson, Billups, Boggs, Briscoe, Brown, Cannon, Carter of Echols, Carter of Elbert, Chester, Collier, Cooper, Cone, Cowen, Davison, Duncan, Ferrill, Fulton, Hart, Harris of Dougherty, Head, Hill of Wilkes, Hood, Ivey, Jamison, Johnson of Cass, Jones, King, Lawton, Lockhart, Lott, Maddox, McGehee, Moore of Laurens, Quillian, Riley, Rushin, Sirman, Smith of Talbot, Spalding, Sweat, Tracy, Wellborn, Williams of Berrien, Williams of Rabun, Young.

So the motion to postpone indefinitely did not prevail.

Mr. Seward moved to reconsider the bill, for the purpose of amending the report; which was agreed to.

Mr. Lawton moved to amend the report by striking out, in the third section, the words "and lots upon which they stand;" which was agreed to.

Mr. Seward moved further to amend the report by inserting, in the first section, after the word "taken," the words "on second Monday in January next;" which was agreed to.

Mr. Seward moved further to amend the report by adding the following proviso to the third section of said bill:

Provided That this Act shall not alter or affect the deci-

sion that may be made by the Supreme Court, in the case now pending, in regard to the removal of said court-house.

Upon agreeing to which motion, Mr. Seward required the yeas and nays, which, being recorded, were,

Yeas, 41. Nays, 48.

Those who voted in the affirmative, are Messrs.

Allred, Barclay, Bond, Chester, Cook, Cowen, Crittenden, Denham, Duncan, Evans, Gartrell, Glover, Green, Griffin of Twiggs, Hackett, Harris of Worth, Hood, Hyde, Lenoir, Maples, Merrill, Morris, Oliver, Paine, Poole, Roberts, Sawyer, Seward, Shelton, Shellnut, Sturges, Tillman, Trippe, Wallace, Ware, Wells, White, Whitworth, Wilson, Young.

Those who voted in the negative, are Messrs.

Atkinson, Bartlett, Billups, Boggs, Briscoe, Brown, Cannon, Carter of Echols, Carter of Elbert, Collier, Cone, Flewellen, Fulton, Hart, Harris of Dougherty, Head, Hightower, Hill of Wilkes, Hines, Ivey, Jamison, Johnson of Cass, Jones, King, Kirby, Lawton, Lockhart, Lott, Maddox, McGehee, Moore of Laurens, Moore of Whitfield, Quillian, Riley, Ritch, Rushin, Sirman, Smith of Talbot, Spalding, Summerour, Sweat, Tarver, Turner, Tracy, Wellborn, Williams of Berrien, Williams of Rabun.

So the amendment was lost.

The report as amended was then agreed to, and, upon the question "shall this bill now pass?" Mr. Seward required the yeas and nays, which, being recorded, were,

Yeas, 50. Nays, 37

Those who voted in the affirmative are Messrs.

Atkinson, Bartlett, Billups, Boggs, Briscoe, Brown, Cannon, Carter of Echols, Carter of Elbert, Chester, Collier, Cone, Davison, Ferrill, Flewellen, Fulton, Hart, Harris of Dougherty, Head, Hill of Wilkes, Hines, Hood, Ivey, Jamison, Johnson of Clayton, Johnson of Cass, Jones, King, Lamar, Lawton, Lockhart, Lott, Maddox, McGehee, Moore of Laurens, Quillian, Riley, Ritch, Rushin, Sirman, Smith of Talbot, Spalding, Summerour, Sweat, Tarver, Turner, Tracy, Trippe, Wellborn, Williams of Berrien.

Those who voted in the negative are Messrs.

Allred, Barclay, Bond, Cook, Cowen, Crittenden, Davis, Denham, Duncan, Evans, Gartrell, Glover, Green, Griffin of Twiggs, Harris of Worth, Hightower, Hyde, Lenoir, Maples, Merrill, Moore of Whitfield, Morris, Oliver, Poole, Roberts, Sawyer, Seward, Shelton, Shellnut, Sturges, Till-

man, Wallace, Ware, Wells, White, Whitworth, Williams, of Rabun, Wilson, Young.

So the bill was passed.

On motion, the Senate adjourned until 9½ o'clock, Thursday morning.

THURSDAY, NOVEMBER 29TH, 1860. }

9½ O'CLOCK, A. M. }

Senate met according to adjournment, and was opened with prayer by the Rev Mr. Curtis.

Mr. Hood moved to reconsider so much of the Journal of Tuesday, as relates to the vote by which a bill of the House of Representatives, to authorize Wilkerson Sparks, administrator, with the will annexed of John Sparks deceased, and administrator of Elizabeth Sparks deceased, and administrator of William A. Sparks deceased, late of Harris county, to sell the land and negroes belonging to each of said estates on the first Tuesday in December, eighteen hundred and sixty, was indefinitely postponed; which was agreed to.

On motion of Mr. Hood, the rules were suspended, and the Senate took up as the report of the committee of the whole, the following reconsidered bill of the House of Representatives :

A bill to authorize Wilkerson Sparks, administrator, with the will annexed, of John Sparks deceased, and administrator of Elizabeth Sparks deceased, and administrator of William A. Sparks deceased, late of Harris county, to sell the land and negroes belonging to each of said estates, on the first Tuesday in December, eighteen hundred and sixty.

The report was agreed to. The bill was read the third time and passed.

Leave of absence was granted Mr. Maples, on account of indisposition.

Leave of absence was granted Messrs. White and Atkinson, for a few days on special business.

Mr. Paine offered the following resolution, which was taken up, read, and agreed to :

Resolved, That the thanks of the General Assembly of the State of Georgia, be, and are hereby tendered to the

Rev. Dr. Lipscomb, Chancellor of the University of Georgia, for the profound and eloquent discourse delivered in the Representative Hall, on yesterday the 28th inst., and that the committee of arrangements be authorized to request a copy for publication, and in the event of obtaining the same, that one thousand copies be printed for the use of the Senate and House of Representatives.

Senate resumed the consideration of the unfinished business of Tuesday morning, which was a bill for the relief of securities upon the bonds of county officers in this State, and for other purposes.

The committee on the Judiciary to whom said bill was referred, reported against its passage.

The report was agreed to and the bill was lost.

The Senate took up, as the report of the Committee of the whole, a bill to authorize the Governor to furnish arms to organized Volunteer Companies not uniformed.

The report was agreed to. The bill was read the third time and passed.

Mr. Bartlett introduced a bill to amend the 16th section of the act authorizing the issue of attachment and garnishment, approved March 4th, 1856 ; which was read the first time.

Mr. Bond presented the proceedings of a meeting of the citizens of Walker county, relative to our Federal relations; which were read.

Mr. Byars presented the proceedings of a meeting of the citizens of Butts county, relative to our Federal Relations ; which were read.

Mr. Cooper presented the proceedings of a meeting of the citizens of Scriven county, relative to our Federal Relation ; which were read.

Mr. Gartrell offered the following resolution ; which was read :

Resolved, That no new matter be introduced into this branch of the General Assembly, at the present session, after Monday next, without the consent of two-thirds of the Senators present, excepting proceedings of county meetings.

Mr. Hackett introduced a bill to consolidate the office of Tax Collector and Receiver of Tax returns, in the county of Catoosa, and for other purposes ; which was read the first time. Also,

A bill to regulate and prescribe the fees of Juries in civil cases, so far as relates to the county of Catoosa, and for other purposes ; which was read the first time.

Mr. Holt introduced a bill to incorporate the Georgia

Banking Company, and for other purposes therein named ; which was read the first time.

Mr. Johnson, Chairman of the committee on new counties and county lines, made the following report :

The committee on new counties and county lines to whom the following bills were referred by the Senate, ask leave to make the following report on bills which they have had under consideration,

A bill entitled an act to lay out a new county, from the counties of Chattooga and Walker, and other purposes.

We return the same to the Senate without any expression of opinion by the committee. Also,

A bill entitled an act to alter the lines between the counties of Walker and Whitfield, and to add a portion of Walker to the county of Whitfield, and recommend that it do pass. Also,

A bill to lay out a new county from Newton and DeKalb, and recommend its passage.

The following message was received from the House of Representatives, by Mr. Hillyer, their Clerk :

Mr. President: I am directed by the House of Representatives to inform the Senate, that they are now ready to receive them in their Hall, for the purpose of electing ten Electors, to cast the vote of Georgia, for President and Vice President of the United States of America.

The House has also concurred in a resolution of the Senate, tendering their thanks to the Rev. Dr. Lipscombe, and requesting a copy of his discourse, delivered in the Hall of Representatives, on the 28th inst., for publication.

On motion the Senate repaired to the Representative Hall, and after being seated the General Assembly proceeded to the election of ten Electors, to cast the vote of Georgia, for President and Vice President, of the United States of America, when on receiving and counting out the ballots it appeared that the Hon. Alfred H. Colquitt, Hon. Henry R. Jackson, Hon. Peter Cone, Hon. W. M. Slaughter, Hon. O. C. Gibson, Hon. Hugh Buchanan, Hon. Lewis Tumlin, Hon. Hardy Strickland, Hon. Wm. A. Lofton, and Hon. W. M. McIntosh were duly elected.

On motion the Senate then returned to their chamber.

Mr. Gaston introduced a bill to allow and authorize William Avery of the county of Merriwether to peddle in the same without license ; which was read the first time.

Mr. Lenoir introduced a bill to incorporate the town of Lawrenceville, in Gwinnett county, to provide for the election of commissioners for the same, and for other purposes; which was read the first time.

Mr. Cannon introduced a bill to amend an act entitled an act, to alter and amend the road laws of this State, so far as relates to the county of Wayne, assented to Dec. 22d, 1857; which was read the first time.

Mr. McLeod introduced a bill to change the lines between the counties of Emanuel and Johnson; which was read the first time.

Mr. Poole introduced a bill to incorporate the Hall county Hydraulic Hose Mining Company, and for other purposes therein specified; which was read the first time.

Mr. Riley introduced a bill to amend an act entitled an act, to incorporate the Nachoochie Hydraulic Mining Company, assented to Dec. 22d 1857; which was read the first time.

The following message was received from the House of Representatives, by Mr. Hillyer, their Clerk.

Mr. President: The House of Representatives have passed the following bills, to-wit:

A bill to authorize and require the district Treasurers of the common school fund of Dawson county to pay over said fund to the Ordinary of said county, and for other purposes.

A bill to amend an act passed 19th December, 1859, to protect the possession of lands in the county of Charlton.

A bill to incorporate Lawrence Gold Mining Company, in the county of White.

A bill to change the line between the counties of Jackson and Clark, so as to include the plantation of George W. Hudson, in the county of Clark.

A bill to prevent the poisoning of and destruction of fish in the counties of Colquitt, Worth, Wilcox, Appling, Dooly, Clark, Telfair, Coffee, Mitchell, Brooks, Calhoun, Warren and Irwin, and for other purposes.

A bill to incorporate the Mountain Town Hydraulic Hose Mining Company.

A bill to consolidate the offices of Tax Collector and receiver of tax returns of the county of Echols.

A bill to incorporate the Athens Insurance Company.

A bill to incorporate the Stephenson Gold Mining Company.

A bill to incorporate the Courtecay Hydraulic Hose Mining Company.

They have also passed the following bill, which I am di-

rected to transmit forthwith to this branch of the General Assembly :

A bill to appropriate money to the Cotton Planters Convention of the State of Georgia, and for other purposes.

A bill the better to regulate the liquor traffic in the counties of Talliaferro, Green, Washington and Henry, and for other purposes.

A bill to amend an act entitled an act, to incorporate the Georgia Whitepath Gold and Copper Company, approved February the 18th, 1856.

Mr. Seward introduced a bill to incorporate a Volunteer Company of Infantry, in the city of Thomasville, and to grant unto it certain privileges; which was read the first time.

Mr. Sheppard introduced a bill to make penal the using of any poisonous substances in any of the water courses in Webster county, for the purpose of posioning and catching fish; which was read the first time.

Mr. Tracey introduced a bill to confer certain privileges therein named, on the Cotton Planters Association of Georgia; which was read the first time.

Mr. Turner presented a memorial of certain citizens of Putnam county; which was read and referred to the committee on new counties and county lines.

Mr. Sheppard presented the proceedings of a meeting of the citizens of Webster county, relative to our Federal Relations; which were read.

Mr. Gartrell presented the proceedings of a meeting of a portion of the citizens of Cobb county and adjoining counties, relative to our Federal Relations; which were read.

Mr. White introduced a bill for the relief Jas. P. Wilkinson, of Walton county; which was read the first time.

Leave of absence was granted Hon. T. L. Guerri, President of the Senate, after to-day, for a few days on special business.

The hour of adjournment having arrived, the President adjourned the Senate until 3 o'clock P. M.

THREE O'CLOCK, P. M.

The Senate met according to adjournment, Hon. John Bilups, President *pro tem.*, in the Chair.

The Senate took up the following bills of the House of

Representatives, which were severally read the second time and referred to the committee of the whole:

A bill to be entitled an act for the relief of the children of Littleberry James, deceased; also,

A bill for the protection of Camden and Glynn counties; also,

A bill to repeal an act to exempt negroes employed by contractors in the construction of Railroads, from liability to work on roads, on certain conditions; also,

A bill to change the times of holding the Superior and Inferior Courts of the county of Clay, and for other purposes; also,

A bill to alter and amend the road laws of this State, so far as relates to the county of Camden; also,

A bill to incorporate the Pioneer Hook and Ladder company, No. 1, in the town of Athens; also,

A bill to confer additional powers upon the Justices of the Inferior Courts of the several counties of this State, and for other purposes therein named; also,

A bill to repeal so much of an act, assented to Dec. 15th, 1859, entitled an act, to levy a tax on all goods peddled in this State, or sold by sample or otherwise by itinerant drummers or other persons as affects certain citizens of this State, and for other purposes.

The Senate took up the following bill of the House of Representatives, which was read the second time and referred to a special committee of five:

A bill for the relief of Charles Whitlock, of DeKalb county.

In pursuance of which the President appointed Messrs. Collier, Holt, Harris, of Worth, Lawton and Trippe as said committee.

The Senate took up the following bills of the House of Representatives, which were severally read the first time:

A bill to incorporate the Lawrence Gold Mining company, in the county of White, and for other purposes; also,

A bill to appropriate money to the Cotton Planters Convention, and for other purposes; also,

A bill to amend an act entitled an act to incorporate the Georgia Whitepath Gold and Copper Company, approved Feb. the 1st, 1856; also,

A bill the better to regulate the liquor traffic in the counties of Taliaferro, Greene, Washington and Henry, and for other purposes; also,

A bill to incorporate the Athens Insurance company; also,

A bill to consolidate the offices of Tax Collector and Receiver of Tax Returns of the county of Echols ; also,

A bill to incorporate the Stephenson Gold Mining Company ; also,

A bill to change the line between the counties of Jackson and Clark, so as to include the plantation of George W Hudson, in the county of Clark ; also,

A bill to prevent the poisoning of fish in the counties of Colquitt, Worth, Appling, Dooly, Burke, Telfair, Coffee, Mitchell, Brooks, Calhoun, Wilcox, Warren and Irwin, of this State, and for other purposes ; also,

A bill to amend an act passed on the 19th Dec., 1859, to protect the possession of lands in the county of Charlton ; also,

A bill to authorise and require the District Treasurers of the Common School Fund of Dawson county to pay over said fund to the Ordinary of said county, and for other purposes ; also,

A bill to incorporate the Courteay Hydraulic Hose Mining company ; also,

A bill to incorporate the Mountain Town Hydraulic Hose Mining company.

Mr. Ivey presented the proceedings of a meeting of the citizens of Habersham county, relative to our Federal relations, which were read.

Mr. Tracy introduced a bill to organize a Volunteer Battalion in the city of Macon to be called the Independent Volunteer Battalion of Macon, which was read the first time.

Mr. Wallace introduced a bill to amend an act incorporating the town of Butler in Taylor county, and other purposes therein mentioned, approved Feb. 8th, 1854, which was read the first time.

The following message was received from His Excellency the Governor, by Mr Waters, his Secretary, to-wit:

Mr. President : The Governor has approved and signed the Resolution authorizing a committee to visit the Institution for the Education of the Deaf and Dumb, at Cave Spring :

On motion of Mr. Fulton the Senate took up as the report of the committee of the whole, the special order, which was a bill to authorize the election of three Commissioners by the General Assembly, to select a site and make all arrangements necessary for the erection of a State Armory for the manufacture of small arms and munitions of war, and for other purposes. The report was agreed to.

Mr. Printup moved to recommit the bill for the purpose of offering an amendment thereto.

Upon agreeing to which motion Mr. Printup required the yeas and nays, which being recorded, were yeas 50, nays 49.

Those who voted in the affirmative are Messrs.

Bartlett, Boggs, Bond, Brown, Carter, of Echols, Chester, Cone, Crittenden, Denham Duncan, Evans, Ferrill, Gartrell, Glover, Green, Grice, Griffin, of Twiggs, Hackett, Hines, Hitchcock, Holt, Hyde, Kirby, Lenoir, Lott, Maddox, McRae, Paine, Poole, Printup, Quillian, Reid, of Taliaferro, Riley, Rich, Seward, Shelton, Sheppard, Sirman, Smith, of Hancock, Sturges, Summerour, Tarver, Tillman, Trippe, Usry, Ward, Ware, Whitehurst, Whitworth, Wilson.

Those who voted in the negative are Messrs.

Ashley, Barclay, Batts, Byers, Cannon, Carter, of Elbert, Collier, Cooper, Cook, Cowen, Davison, Davis, Donaldson, Flewellen, Fulton, Gaston, Hart, Harris, of Dougherty, Harris, of Worth, Harvin, Head, Hightower, Ivey, Jamison, Johnson, of Clayton, Jones, King, Lawton, Lockhart, Merrill, McGehee, Moore, of Laurens, Moore of Whitfield, Morris, Oliver, Pruitt, Robinson, Shellnut, Snell, Spalding, Stowers, Sweat, Tatum, Turner, Tracy, Wellborn, White, Williams, of Rabun, Young.

So the motion to recommit prevailed.

Mr. Printup moved to amend the report by adding the following as an additional section to said bill :

And be it further enacted, that the Governor shall have power and authority and he is hereby required to appoint one or more fit, and proper persons of scientific knowledge, as well as practical experience in Military affairs as agent or agents to select and contract for such Arms, Ordnances and munitions of war, as shall be deemed necessary to meet the exigencies of the State, and to place the State of Georgia in a proper position of defence, and that the appropriation made by the act set forth in the 3d section of this act, except the amount in said 3d section specified, be devoted to the purposes aforesaid, except such portions of said appropriation as has already been applied by act of the General Assembly; which was lost.

Mr. Cooper moved further to amend the report by adding the following to the 1st section :

The said Commissioners being hereby instructed to take into their consideration, especially for such site, Milledgeville and its vicinity with reference to the employment of

the convicts of the Penitentiary in said armory, and also with reference to the said armory's being at all times under the eye of the Governor and the Legislature during its annual sessions.

Pending the consideration of which the hour adjournment having arrived, the President adjourned the Senate until 9½ o'clock, to-morrow morning.

FRIDAY, NOVEMBER 30TH, 1860,)
9½ O'CLOCK A. M.)

Senate met according to adjournment, Hon. John Bil-lups, President *pro tem.*, in the Chair, and was opened with prayer by Rev. Mr. Quillian.

Leave of absence was granted Messrs. Rushin, Reid of Morgan, Printup and Usry, for a few days, on special business.

The Senate resumed the unfinished business of yesterday, which was a bill to authorise the election of three commissioners by the General Assembly to select a site and make all arrangements necessary for the erection of a State armory for the manufactory of small arms and the munitions of war, and for other purposes, and Mr. Cooper's amendment thereto.

Mr. Bartlett moved that the bill and amendments pending thereto be laid on the table for the present.

Upon agreeing to which motion, Mr Spalding required the yeas and nays, which being recorded were yeas 74, nays 39.

Those who voted in the affirmative are Messrs. :

Alexander, Alfred, Ashley, Bartlett, Boggs, Bond, Brown, Carter of Echols, Chester, Cook, Cowen, Crittenden, Davison, Davis, Denham, Donaldson, Duncan, Evans, Ferrill, Gartrell, Glover, Green, Grice, Harvin, Hines, Hitchcock, Holt, Hyde, Jamison, King, Kirby, Lenoir, Lockhart, Lott, Maddox, McLeod, McRae, Moore of Whitfield, Paine, Poole, Quillian, Reid of Taliaferro, Riley, Ritch, Roberts, Rushin, Sawyer, Seward, Shelton, Shellnut, Sheppard, Sirman, Smith of Hancock, Smith of Talbot, Snell, Sturges, Summerour, Sweat, Tarver, Tillman, Turner, Trippe, Usry, Wallace, Ward, Ware, Wells, White, Whitworth, Williams

of Berrien, Williams of Rabun, Williams of Terrell, Wilson, Young.

Those who voted in the negative are Messrs.

Barclay, Batts, Briscoe, Byars, Cannon, Carter of Elbert, Collier, Cooper, Cone, Delaperriere, Flewellen, Fulton, Gaston, Griffin of Twiggs, Hackett, Hart, Harris of Dougherty, Harris of Worth, Head, Hightower, Ivey, Johnson of Clayton, Jones, Lawton, Merrill, McDuffie, McGehee, Moore of Laurens, Morris, Oliver, Printup, Pruitt, Spalding, Stowers, Tatum, Tracy, Wellborn, Whitehurst, Wynne.

So the motion to lay the report and pending amendments on the table for the present prevailed.

The following message was received from the House of Representatives, by Mr. Hillyer, their Clerk :

Mr. President—The House of Representatives have passed the following bills, to-wit :

A bill to incorporate Loud Hydraulic Hose Mining Company. Also,

A bill to incorporate the Rome Light Guards, a Volunteer Company in the city of Rome, in the county of Floyd, and the Oconee Cavalry, in the town of Athens, and for other purposes. Also,

A bill to regulate the liquor traffic in the county of Fannin. Also,

A bill to consolidate the offices of the Clerks of the Superior and Inferior Courts of Dawson, Stewart and DeKalb counties. Also,

A bill to incorporate Liberty Hill Baptist Church in the county of Henry, and for other purposes.

Mr. Harris of Dougherty, from the committee on enrollment, reported as duly enrolled and ready for the signature of the President of the Senate,

A resolution returning thanks to the Rev. Doctor Lipscomb, and soliciting a copy of his Discourse for publication.

On motion Messrs. Ware and Shellnut were added to the Committee on the Deaf and Dumb Asylum.

The following message was received from his Excellency the Governor, by Mr. Campbell, his Secretary, to-wit :

Mr. President: I am directed by the Governor to return to the Senate a bill to grant relief to the Banks and people of this State, &c., accompanied by a communication relating thereto.

On motion of Mr. Cone the following message from his Excellency the Governor, was taken up and read :

EXECUTIVE DEPARTMENT }
MILLEDGEVILLE, GA., Nov. 30th, 1860. }

To the Senate :

The bill to be entitled "an act to grant relief to the Banks and the People of this State, and to repeal certain clauses of the act entitled an act to provide against the forfeiture of the several Bank charters in this State, on account of the non-specie payment, for a given time, and for other purposes, passed in the year 1857; and to suspend the pains and penalties imposed upon the several banks and their officers, in this State, for the non-payment of specie, and for other purposes," is herewith returned, without approval; for the general reasons against legalizing bank suspensions, contained in my message to the Senate accompanying the return of a similar bill, on the 22d day of December, 1857. As the reasons given in that message against the justice and policy of such a law as the one proposed by this bill, are fresh in the minds of the people of this State, I do not deem it necessary to repeat them here, in detail. They have been the subject of much discussion, and have been sanctioned and sustained by the people, at the ballot box. It may be claimed that the circumstances are different from those which existed in December, 1857. At the time of the passage of the act of 1857, the banks of most of the States in this Union, had suspended. The banks of the State of Louisiana formed an exception. In that State the charters of the banks were forfeited, if they suspended specie-payment; and the Constitution of the State, prohibited the Legislature from passing any law to legalize the suspension. The consequence was, that the banks of that State, neither suspended specie-payment, nor did they suspend business. They made a small sacrifice, and purchased all the specie needed to meet their obligations, and to furnish the accommodations demanded for the purpose of carrying the crops to market; while the banks in most of the other States suspended, rather than make the sacrifice. The argument in 1857 was, that the banks in the great commercial cities North, had suspended; and that it was therefore necessary for our banks to suspend, in self defence. Such is not the case at present; nor is there a general suspension in the Southern States. If, then, the circumstances are now different from those which existed in 1857, that difference is very unfavorable to the present application of the banks.

In 1857, as now, our legislators were told, that the suspension must be legalized, for the benefit—not of the banks

—but of the people. It was said that the banks would discount liberally, so soon as the suspension should become a law; and that they would at once relieve the people. We all remember the result. Instead of discounting liberally, with a few excepted cases, they refused to discount at all; and property was greatly depreciated in value. In a few days after the passage of that act, exchange rose to three per cent.; so that every merchant wishing to send money North to pay debts, must pay three dollars out of every one hundred for exchange. The banks may not have sold exchange at those rates when their own bills were presented in payment for the exchange. That act, as well as the present, contained a clause which prohibited the banks from selling exchange at a greater rate than one per cent., when their *own bills* were presented in payment for the exchange. If therefore, a citizen of this State presented to a bank *its own bills* for the purchase of exchange, it was easy to reply, that the bank had no exchange for sale; but that the broker, near by, had. If the bills of another bank were presented in payment, the statute did not prohibit the receipt of the three per cent.; and probably the bank had exchange for sale.—Why prohibit the bank from taking more than one per cent. exchange only when its *own bills* are presented in payment? Why not say that it shall, in *no case*, take more than one per cent. for exchange, if it is not intended so to word the statute as to enable the banks to evade it at pleasure.

It is admitted at present by the advocates of this bill, that the banks are able to meet their liabilities, in gold and silver; and that an abundant supply of specie can be purchased, in the market, at a premium of only one-fourth of per cent. The banks have had the advantages of prosperous times, which have enabled them to realize large profits, declare good dividends among their stockholders, and pay good salaries to their officers. It is now necessary for them to pay a small premium for specie, with which they can afford all the facilities necessary to carry the crops to market, and relieve the people. This they refuse to do, because it would diminish their profits for a short time. They prefer to dictate terms of suspension. While their bill is pending before the General Assembly, in order to produce a panic and alarm the people and their representatives, strong as the banks are said to be, they refuse to discount a dollar, causing a general stagnation in business, when their vaults are admitted to be well filled with specie, and when a small sacrifice would keep up the supply.

In consideration of the advantages which their charters afford them over the people in times of prosperity, is it not their duty to make a small sacrifice, if necessary, for the benefit of the people, in times of adversity?

The suspension of specie payment by the banks, is not

for the benefit of the banks, but for the benefit of the people! The constant efforts made by bank men to practice upon popular credulity, by the declaration of this strange absurdity, are not a little remarkable. If this be true, why is it, when such a measure is to be carried, that our lobbies are crowded with Bank Presidents, Bank Directors and Bank Stockholders, who are constantly besieging the members of the General Assembly with clamorous appeals for the passage of the bill, while the banks with which they are connected, co-operate with them for the purpose of keeping up the excitement, by refusing to extend the smallest accommodation to the people, till the bill is passed? Why is it that these gentlemen never take upon themselves to guard the people's interest and spend money to secure the passage of bills through the Legislature, except when it is desirable to pass a bank suspension bill? This is not the first time I have seen all their influences brought to bear upon the Legislature, for the purpose of accomplishing an object in the midst of wild excitement and great alarm. The small number of members of the present General Assembly who were here in 1857, and voted for the bank bill of that year, will, I think, concur with me in the statement, that the excitement at the capitol, in 1857, was much greater than the advocates of the present bill have been able to create on this occasion. The people then did not appreciate the favor conferred on them by the passage of the law.

If the planters, mechanics and other laboring classes of our people, desire the banks to suspend, and pay them for their produce and their labor in bills which they will not redeem in specie, and with which our merchants will not be able to purchase exchange without paying a heavy premium, why have they not sent delegates to demand the passage of this act, and to ask the Legislature to give them suspended bank notes, as a currency, in place of gold or silver, or the bills of specie paying banks? The reason is obvious. The great mass of the people have not seen the necessity for the passage of any such law; and do not desire it. They have no speculation to make out of it; nor are they to be benefitted by it. But we are told that a suspension of specie payment by the banks, will make money plenty. How can this be the case? Will the suspension produce a blade of grass? or an ear of corn? or a boll of cotton? or a dollar in gold or silver? or in any other way add to the material wealth of the State? No. But it is said that the banks will issue more bills or notes, and give those bills or notes to the planter for his cotton. What benefit will result from this? Will they then give him gold or silver for the bills? No. They are not willing to redeem those already issued, with gold and silver. The plain

truth is, then, that the banks want to purchase with their bills, the planters cotton and other produce, for which they can get gold ; and they want the authority of the Legislature for refusing to redeem the bills given for it, with the gold. But it is said that the cotton crop cannot be carried to market, if the banks are not permitted to buy it, or to enable brokers, or cotton buyers under their control, to buy it with suspended bank bills.

The present cotton crop is admitted to be a short one.—The manufacturers of the world are obliged to have it; and if every bank in Georgia were blotted out of existence, the cotton would still go to market; and in ninety days the planters would get gold for it, if they refused to take the bills of suspended banks, which are always at a heavy discount. Since 1857, the banks have grown more imperious. They then demanded relief from the suspension already made. They now demand legal authority in advance for the intended violation of their promises, and relief from all the *pains* and *penalties* prescribed by law against their bad faith.

The second section of the act of 1857, as a penalty for the suspension and refusal of a bank to redeem its bills in specie, gave the bill holder who might bring suit upon the bills of the bank, ten per cent. damages, in addition to the principal and interest due him from the bank ; and provided that the collection, when made under execution, should be in gold or silver. The act of 17th of December, 1859, increased this penalty to twenty-five per cent. If a bank suspended and refused to redeem its bills in specie, and the bill holder was obliged to have the bills protested, and to pay lawyer's fees to have suit brought upon them, the damages allowed as a penalty, by those statutes to the bill holder, amounted to some compensation ; and would at least pay the attorneys' fees, and save him from the loss of part of the debt due him by the bank. The Act now under consideration, denies to the bill holder even this poor compensation. It enacts that, "all and every, the *pains* and *penalties*, heretofore imposed upon the several banks and their officers, in said State, by any previous legislation of the General Assembly of the same, for failure or refusal of said banks, or their branches, to redeem their liabilities in gold and silver, when presented, according to their several charters, are hereby suspended, until the 1st December, 1861."

The friends of the banks tell us that they are strong ; that they have plenty of specie, and can purchase additional supplies if needed, for a very small premium. This bill, if it becomes a law, authorizes them to suspend, and refuse either to pay their notes with the specie now in their vaults, or to purchase more for that purpose. One of our citizens

in the country, has one hundred dollars of the bills of one of the banks, and wishes the specie for them. He presents them at the counter of the bank, and makes the demand.—The cashier informs him that the bank has gold plenty, but that it does not wish to pay it out according to promise; or that it wishes to speculate upon the gold, by sending it out of the State to buy up the notes of our merchants or others. He insists that he needs the gold, as he cannot use the suspended bank bills without sustaining a loss upon them, and reminds the cashier of the promise of the bank to pay specie. The cashier replies, "Your Legislature has authorized us to violate our promise. It is true, we issue three, and often five dollars, in notes, for every one dollar in specie in our vaults; and we get interest from the people on all these notes, while we pay no interest to our bill holders; but we do not choose to pay the principal; we prefer to speculate upon our money." The bill holder probably then desires to put the claim in a condition that he may at least get interest on his bills. He has them protested, and brings suit against the bank. For this purpose, he must pay an attorney's fee out of the amount due him from the bank. The Act of 1857, in such case, gave him ten per cent. damages against the bank, to secure him against this loss. The bill now before me, if it becomes a law, relieves the bank from this, and all other penalties incurred by its violation of promise, and leaves the bill holder to suffer the loss. Is this justice? Is it the relief which the people demand from their representatives? It is not very difficult to understand why bank officers hang round the Legislature, for the purpose of producing a panic, and affording this kind of relief to the people.

It may be claimed that the present political aspect of affairs requires the legislation proposed by this bill. In case the convention of the people of this State, when it meets in January next, shall pass an ordinance declaring the State out of the Union, on account of the refusal of the Northern States to abide by the Constitution, it may become proper to make an exception to a general rule, and permit a suspension for a short time: as a change in the relations of Georgia to the United States' Government might, for a time, produce some derangement in the currency, which could not be anticipated by the banks; and they might, in such case, be entitled to a lenity to which they would not be entitled under ordinary circumstances. I do not admit, however, that it is either wise or just to pass an Act in advance which authorizes the suspension, till 1861, without regard to what may be the action of the convention. If the State secedes from the Union, the Legislature will, probably have to be again convened to provide for our future

safety and welfare; and it might then be time enough to determine this question.

The Act of 1840 makes it the duty of the Governor, in case any bank suspends specie-payment, to cause judicial proceedings to be instituted forthwith for the forfeiture of its charter. It might not have been unwise to have passed an Act to change this statute so that it would not be the imperative duty of the Governor to proceed *forthwith* against the charters of such banks as might for a time suspend, if such change in circumstances shall occur as warrants the suspension; leaving it in the discretion of the Governor or of some other power in the government to order proceedings against such suspended banks or not, as the exigencies of the case might require. This, in my opinion, is the greatest extent to which the Legislature should go.

Should the State fail to secede from the Union immediately, or, in case of secession, should confidence be restored in a very short time, (which I think would be the case,) I can see no just reason why the people should remain at the mercy of the banks, or the country be cursed with an irredeemable paper currency until the 1st day of December, 1861, without any power in the Executive or any other branch of the government to relieve the people by compelling the banks to redeem their promises and pay their debts, or have their charters forfeited. If this bill becomes a law, property of every character will, in my opinion, so soon as the banks suspend, be greatly depreciated in value. Our merchants will have to pay much higher than they now do for exchange, and a general pressure will ensue which will greatly injure the whole people of the State.

But we may be told that the people are fully compensated for the injustice done them, in other parts of the bill, by the provisions contained in the fourth section, which also relieves the people from all obligations to pay their debts till the first of December, 1861. That section is in these words, "That, in the event of suspension of specie-payment by any of the banks of Savannah, Augusta and Atlanta, in this State, which shall be made known by proclamation of the Governor, it shall not be lawful for any plaintiff in *fi. fa.*, his agent or attorney, to have the same levied upon the property of any inhabitant or corporation of this State until the 1st of December, 1861; neither shall any of the property of any such inhabitant or corporation be sold under and by virtue of any such *fi. fa.*, order or decree, nor shall any person be arrested or imprisoned under and by virtue of any proceeding under writs of *ca. sa.*, until the 1st of December, 1861; except in cases where the plaintiff, his agent or attorney shall make affidavit that the defendant is removing or about to remove without the limits of this State, or any county thereof, or is removing

or about to remove his property beyond the limits of this State; or any county thereof. In such cases the defendant may stay such levy or sale, arrest or imprisonment, until the 1st of December, 1861, by giving good and sufficient security in the Clerk's office, or Justice's office, from whence said *fi. fa.* or *ca. sa.* issued, as in other cases of stay of execution for the payment of the debt and costs, at the expiration of said stay, or for his appearance to render satisfaction under such arrest, at the first term of the Court happening after said 1st December, 1861, as in cases of arrest under *ca. sa.*, by the existing laws; and, in all cases where property is now levied on and in the hands of the levying officer, the defendant may replevy the same by giving bond and security, either for the forthcoming of the property or the payment of the debt and costs, on the 1st day of December, 1861, or the first regular sale day thereafter; *provided* that this section shall not be so construed as to apply to any tax *fi. fa.* issued or to be issued; *and provided further*, that statutes of limitation shall cease to be run against any debt during suspension of said banks."

By a careful reading of this section, it will be seen that in the event *any* of the banks of Savannah, Augusta or Atlanta—no matter which one, nor whether it is solvent or insolvent—suspends, all collections of debts by the laws of this State are to cease till first December, 1861. If the present distrust should pass away immediately, and full prosperity should be restored, and *any one* of the banks of either of said cities should break, or for any other reason suspend specie-payment for a single day, this Act, on that account, suspends the collection of debts all over Georgia till first December, 1861. The bill even proposes to signalize the event of the suspension of *any* of the banks of either of said cities by making it the duty of the Governor of this State to make known the fact by proclamation. My observation has been that the bill holders, who suffer by the bad faith of a bank which breaks or suspends, usually learn the fact very soon, without the necessity of dignifying the event by a proclamation from the Executive of the State.

It will be further observed that this section stays all executions between plaintiffs and defendants, in the manner above mentioned, without requiring *any security on stay of execution* for the final payment of the debt, except in cases where the plaintiff, his agent or attorney, will swear that the defendant is removing or about to remove himself or his property without the limits of this State or any county thereof. Under this statute, if it becomes a law, a defendant in *fi. fa.* may sell and transfer all his property to a third person, and such third person may remove it all without the limits of this State before the first day of Decem-

ber, 1861, and the plaintiff must lose his debt. He may see such third person, who purchased of the defendant, carrying the property out of the State, and his judgment may be for the purchase-money of the very property which is being carried out of the State; but his hands are tied by the law, and he has no remedy, because the defendant is not, *himself*, removing nor carrying his property out of the State. He cannot, therefore, be compelled to give security for the forthcoming of the property or payment of the debt, at the end of the stay; nor can the plaintiff stop the removal of the property in the hands of the third person, who purchased from the defendant. This is not only gross injustice to plaintiffs *in fi. fa.*, but it holds out strong inducements to defendants to perpetrate enormous frauds under cover of legal authority.

Should this bill become a law, it will also do great injustice to creditors, who are citizens of Georgia, by giving to Northern creditors, and all others living out of this State, a preference over our own citizens in the collection of their claims. Citizens of other States, holding claims against merchants or other persons in this State, when the claim exceeds five hundred dollars—or when it is for a less sum, by alleging that it exceeds five hundred dollars, and paying cost if it turns out on the trial that the recovery is for a less sum—may sue and obtain judgment at the first term of the United States' District Court, in all cases where no defence exists against the claim, and may proceed forthwith to collect the money by due process of that Court; while a citizen of this State, who is a creditor of the same debtor, who has sued and obtained judgment in the Courts of this State, and who has the oldest judgment, is not permitted to levy his *fi. fa.*, but must stand by and see the Northern merchant sell, possibly, the whole property of the defendant, and receive the full amount of his claim, and carry the money out of the State, while our own citizen is left without remedy.

Again, our merchants are generally indebted to Northern merchants, and cannot pay unless they are permitted to collect from those who are indebted to them. Under the proposed law, the Northern merchant can still sue our merchants, in the United States' Courts, and obtain judgment and execution, and sell their property; while our merchants, who are citizens of this State, cannot sue their debtors, who are also citizens of this State, in the United States' Courts, but must sue in the Courts of Georgia. When they have obtained their executions in our State Courts, this bill, if it becomes a law, prohibits them from levying on the property of defendants, till first December, 1861. The Northern merchants may, therefore, ruin our merchants by selling their property in the midst of a bank-

suspension, when everything is down at the lowest figure—while our merchants are not permitted by our own laws to collect a dollar with which to meet their indebtedness and save their property from sale. Is this justice to our own citizens? Is this what is meant by *resistance* to Northern aggression? Pass this law, and it cannot be doubted that the ensuing year will be distinguished as one of an unusual amount of litigation. Creditors desirous of making collections, knowing that they cannot levy and collect by law till first December, 1861, will desire to put their claims in a condition to enforce collections by law as soon as possible after that time. They will, therefore, in nearly all cases, put their claims in suit, so as to obtain judgments as soon as the law will permit.

I am of opinion that a relief bill could scarcely have been framed in a more objectionable shape, or have contained provisions which, in their practical operations, would produce more hardship and gross injustice, than the bill herewith returned. Much as I regret, at all times, to differ from the General Assembly, and more especially on a question of so much importance, a sense of duty compels me to withhold my sanction from this measure, in its present shape; and, in the name of those who must suffer by it, to protest against its passage.

JOSEPH E. BROWN.

On motion of Mr. Collier, the Senate took up the following bill which had been vetoed by His Excellency the Governor, to-wit :

A bill to grant relief to the Banks and the people of this State, and to repeal certain clauses of the act entitled an act to provide against the forfeiture of the several Bank Charters in this State on account of the non-specie payment for a given time, and for other purposes, passed in the year 1857, and to suspend the pains and penalties imposed upon the several Banks and their officers in this State for the non-payment of specie, and for other purposes.

Upon the passage of which, the yeas and nays were ordered, and were yeas 95, nays 13.

Those who voted in the affirmative are Messrs.

Alexander, Ashley, Batts, Boggs, Briscoe, Brown, Byars, Cannon, Carter, of Echols, Carter, of Elbert, Chester, Collier, Cooper, Cook, Cone, Crittenden, Davison, Davis, Delaperriere, Denham, Donaldson, Duncan, Evans, Ferrill, Flewellen, Fulton, Gartrell, Gaston, Glover, Green, Grice, Griffin, of Twiggs, Hackett, Hart, Harris, of Dougherty, Har-

ris, of Worth, Harvin, Head, Hines, Hitchcock, Holt, Jamison, Johnson, of Clayton, Johnson, of Cass, Jones, King, Kirby, Lawton, Lenoir, Lockhart, Lott, Merrill, McDuffie, McGeehee, McLeod, Moore, of Laurens, Moore, of Whitfield, Morris, Oliver, Paine, Poole, Printup, Pruitt, Reid, of Taliaferro, Riley, Ritch, Roberts, Rushin, Sawyer, Seward, Shelton, Sheppard, Sirman, Smith, of Hancock, Smith, of Talbot, Snell, Spalding, Stowers, Sturges, Tarver, Tatum, Tillman, Turner, Tracy, Usry, Ward, Ware, Wellborn, Wells, Whitehurst, Whitworth, Williams, of Berrien, Williams, of Terrell, Wilson, Wynne.

Those who voted in the negative, are Messrs.

Allred, Barclay, Cowen, Hightower, Hyde, Ivey, Maddox, Quillian, Shellnut, Summerour, Wallace, Williams, of Rabun, Young.

So the bill was passed by a constitutional majority over the veto of His Excellency the Governor.

On motion of Mr. Collier, the Secretary was directed to transmit the same forthwith to the House of Representatives.

Mr. Bartlett offered the following resolution, which was taken up, and read :

WHEREAS, It is in the opinion of this General Assembly that the policy of the State of Georgia, is to arm her citizens at the earliest possible time, and at the least possible expense ; and whereas it would require about two years to erect buildings suitable for an armory for the manufactory of arms, which may be needed long before that time ; and whereas suitable arms cannot be purchased out of the State without great difficulty ; and whereas there is located at the city of Augusta, a foundery with extensive buildings, consisting of large machine shop, tools and fixtures, well suited, with slight additions, for the manufacturing of arms, propelled by water power ; and whereas we are assured and informed that arms can be manufactured and furnished by said manufacturing company ; Therefore,

Resolved, That a Joint Committee consisting of three from the Senate, to be appointed by the President, and five from the House of Representatives, to be appointed by the Speaker to proceed to the city of Augusta to examine said machine shop, foundery, buildings, tools, water-power and fixtures connected therewith, and report to their respective Houses, at the earliest practicable day the facilities, terms, and times upon which suitable arms can be manufactured and furnished at said works.

Mr. Spalding moved to amend the resolution by striking out the words, "two years," which was agreed to.

Mr. Tracy moved further to amend the resolution, by inserting after the word "Augusta," the words "also, every other city or town, Savannah, Macon, Atlanta, Milledgeville, Columbus, and Etowah."

On motion the resolution and amendments were laid on the table for the present.

Mr Holt offered a series of resolutions relative to our Federal Relations, which were read.

On motion the same was made the special order for Tuesday next, and 150 copies ordered to be printed for the use of the Senate.

Mr. McGhee offered a series of resolutions relative to our Federal Relations, which were read.

The hour of adjournment having arrived the President adjourned the Senate until 3 o'clock, P. M.

THREE O'CLOCK, P. M.

Senate met according to adjournment, Hon. John Billups, President, *pro. tem.* in the chair.

The Senate took up as the report of the committee of the whole, the special order, which was a bill to revise the the jury system of this State.

Mr. Evans offered the following as a substitute in lieu of the original bill, to-wit:

A bill to revise the jury system of this State to abolish appeal and petit jury trials in this State, so far as relates to the Superior Courts, and for other purposes.

On motion of Mr. Holt the same was made the special order for to-morrow.

The Senate took up as the report of the committee of the whole, a bill to incorporate the Wood Hydraulic Hose Gold Mining company.

The report was agreed to, the bill was read the third time and passed.

On motion the same was ordered to be transmitted forthwith to the House of Representatives.

The Senate took up, as the report of the Committee of the whole, a bill to lay out a new county from the counties of Chattooga and Walker, and for other purposes.

On motion the same was made the special order for Friday next.

On motion of Mr. Flewellen the rules were suspended, and

the Senate took up the following resolution, which was agreed to.

Resolved, That all bills for the incorporation of Volunteer Companies which have been or may hereafter be introduced be referred to the Military Committee, with instructions to report a general bill.

Mr. Harris, of Worth, chairman from the special committee made the following report :

The committee to whom was referred a bill to protect the owners of stock in this State, report that they have had the same under consideration and recommend a substitute for the same.

The Senate took up, as the report of the Committee of the Whole, a bill to protect the owners of stock in this State.

The Select Committee to whom this bill was referred offered the following bill as a substitute in lieu of the original bill :

A bill to protect the owners of hogs in the counties of Fannin and Dawson.

The report as amended was agreed to. The bill was read the third time, and passed.

The Senate took up the following bills of the House of Representatives which were severally read the first time :

A bill to consolidate the offices of Clerks of the Superior and Inferior Courts of Dawson, Stewart and DeKalb counties ; also,

A bill to incorporate the Rome Light Guards, a Volunteer Corps in the city of Rome, in the county of Floyd, and the Oconee Cavalry in the town of Athens, and for other purposes ; also,

A bill to incorporate the Loud Hydraulic Hose Mining company ; also,

A bill to incorporate Liberty Hill Baptist Church in the county of Henry, and for other purposes ; also,

A bill to regulate the Liquor traffic in the county of Fannin.

Mr. Collier, chairman of the Special Committee made the following report :

The Special Committee to whom was referred the bill for the relief of Charles Whitlock, of the county of DeKalb, have had the same under consideration, and report the same back to the Senate, and recommend that it do pass.

On motion of Mr. Collier the rules were suspended and

the Senate took up as the report of the committee of the whole, the following bill of the House of Representatives :

A bill for the relief of Charles Whitlock, of DeKalb county.

The report was agreed to, the bill was read the third time and passed.

The following Message was received from His Excellency the Governor by Mr. Campbell, his Secretary, to-wit :

Mr. President : The Governor has approved and signed the Resolution, tendering the thanks of the General Assembly of the State of Georgia, to the Rev Dr. Lipscomb, Chancellor of the University of Georgia, for the eloquent discourse delivered in the Representative Hall on the 28th instant, and requesting a copy of the same for publication.

Mr. Paine from the committee on enrollment reported as duly enrolled, signed by the Speaker of the House of Representatives and ready for the signature of the President of the Senate :

An Act to incorporate the town of Acworth in the county of Cobb, and for other purposes therein mentioned ; also,

An Act to authorize Wilkerson Sparks administrator with the will annexed, of John Sparks deceased, and administrator of Elizabeth Sparks deceased, and administrator of William A. Sparks deceased, late of Harris county, to sell the land and negroes belonging to each of said estates on the first Tuesday in December, Eighteen Hundred and sixty ; also,

An Act to incorporate the B'Nai Briss (United Brothers) Association of Savannah ; also,

An Act to compensate the Tax Receiver of Clark county for services rendered ; also,

An Act to authorize the Clerk, of the Inferior Court of Jasper county, appointed by the Justices of said Court to fill the vacancy occasioned by the death of James E. Shropshire, late Clerk of said Court, and to hold said office and discharge the duties thereof until his successor is elected and qualified in January next ; also,

An Act to consolidate the offices of Tax Receiver and Collector for the county of Dade ; also,

An Act to authorize the Ordinary of Chattahoochee county to pay poor school accounts ; also,

An Act to make the Inferior Court of Lowndes county successors in office to the Commissioners appointed under an act entitled an act to remove the county site of Lowndes county, to change the line between said county and the county of Brooks, and for other purposes, and to authorize

said Inferior Court to lay off said county of Lowndes into Militia Districts, and for other purposes ; also,

An Act to repeal an act to alter and amend the road laws of this State, so far as relates to the county of Lumpkin, assented to the sixteenth of December, Eighteen Hundred and Fifty-seven ; also,

An Act to change the time of holding the Inferior Courts in the county of Glasscock ; also,

An Act to authorize the Inferior Court of Hancock county to levy an extra Tax for county purposes ; also,

An Act to alter the sixth section of the third article of the Constitution of this State, so far as relates to the day on which the Ordinaries are elected ; also,

An Act to amend an act entitled an act to incorporate the Presbyterian Church of Walthoursville in Liberty county and to incorporate the Savannah flour mill company assented to December 10th 1855 ; also,

An Act to authorize the Inferior Court of Ware county to order a vote of the citizens of said county relative to the building of a New Court House, the changing of the site thereof, and for other purposes.

The Senate took up the following bills of the House of Representatives, which were severally read the second time and referred to the Committee of the Whole :

A bill to be entitled an act to incorporate the Mountain Town Hydraulic Hose Mining Company ; also,

A bill to prevent the poisoning of fish in the counties of Colquitt, Worth, Appling, Dooly, Burke, Telfair, Coffee, Mitchell, Brooks, Calhoun, Wilcox, Warren and Irwin, of this State, and for other purposes ; also,

A bill to incorporate the Lawrence Gold Mining Company, in the county of White, and for other purposes.

The following message was received from the House of Representatives, by Mr. Hillyer, their Clerk :

Mr. President—The House of Representatives have passed the following bills :

A bill in relation to making returns by representatives of deceased guardians, executors, administrators and trustees ; also,

A bill to amend an act entitled an act to incorporate the Skidway Shell Road Company, and for other purposes ; also,

A bill to prevent the firing of woods between the first day of May and the first day of February, in each and every year, in the county of Wilcox, and for other purposes ; also,

A bill to change the lines between the counties of Dawson and Lumpkin, and for other purposes; also,

A bill to incorporate Blackshear Academy, in the county of Pierce, and appoint trustees for the same, and for other purposes; also,

A bill to amend the first section of an act passed in 1859, to amend the charter of the town of Washington; also,

A bill to add lot of land number (354) three hundred and fifty-four, to the Lowndes, now Echols county, and to change so far the county lines; also, to change the lines between the counties of Pickens and Gordon; also,

A bill to incorporate the town of Colquitt, in the county of Miller, to amend the second, fourth and sixth sections of an act incorporating the town of Blackshear, in Pierce county, approved December 16th, 1859, and to add an additional section to said act, and to amend the act incorporating the town of Quittman, and for other purposes; also,

A bill to change the times of holding the Superior Courts in the counties of Glynn, Wayne, Camden and Charlton in the Brunswick Judicial Circuit; also,

A bill to incorporate Prospect Camp Ground in the county of Floyd, and for other purposes; also,

A bill to approve, adopt and make of force in the State of Georgia, a revised Code of Laws, prepared under the direction and by the authority of the General Assembly thereof, and for other purposes therewith connected; also,

A bill to incorporate the Altamaha Scout, at Jones' creek, in the county of Liberty, the Brunswick Rifles, of the county of Glynn, and to confer certain privileges and exemptions on the same.

The House of Representatives have passed the following bill of the Senate over the veto of his Excellency the Governor, by a Constitutional majority, of yeas 108 and nays 20:—

A bill to grant relief to the Banks and the People of this State, and to repeal certain clauses of the act entitled an act to provide against the forfeiture of the the several Bank Charters of this State on account of their non-specie payment for a given time, and for other purposes, passed in the year 1857, and to suspend the pains and penalties imposed upon the several Banks and their officers in this State, for the non-payment of specie, and for other purposes.

Mr. Briscoe, Chairman of the Committee on the Penitentiary, made the following report:

The joint committee from the Senate and House of Representatives on the Penitentiary, to whom was referred a

bill for the removal of the Penitentiary, have had the same under consideration, and recommend that it do not pass.

Leave of absence was granted Mr. Griffin, of Twiggs, for a few days, on special business.

The Senate took up the following bills of the House of Representatives, which were severally read the second time and referred to the Committee of the Whole :

A bill to change the line between the counties of Jackson and Clark, so as to include the plantation of George W. Hudson in the county of Clark ; also,

A bill to be entitled an act to consolidate the offices of Tax Collector and Receiver of Tax Returns of the county of Echols ; also,

A bill to incorporate the Athens Insurance Company ; also,

A bill to amend an act entitled an act to incorporate the Georgia Whitepath Gold and Copper company, approved February the 18th, 1856 ; also,

A bill to appropriate money to the Cotton Planters Convention, and for other purposes ; also,

A bill to incorporate the Courtecay Hydraulic Hose Mining company ; also,

A bill to authorize and require the district treasurers of the common school fund of Dawson county to pay over said fund to the Ordinary of said county, and for other purposes ; also,

A bill to incorporate the Stephenson Gold Mining company ; also,

A bill to amend an act passed on the 19th December, 1859, to protect the possession of lands in the county of Charlton ; also,

A bill the better to regulate the liquor traffic in the counties of Taliaferro, Greene, Washington and Henry, and for other purposes.

The following message was received from the House of Representatives, by Mr. Hillyer, their Clerk :

Mr. President : The House of Representatives have agreed to a resolution calling on his Excellency the Governor for any information in his possession, going to show that any member of this General Assembly has been influenced in the passage of the Relief Bill, by the Banks or their agents, by money or other means ; and I am directed to communicate their action forthwith to this branch of the General Assembly.

On motion the rules were suspended, and the Senate took up a resolution of the House of Representatives, calling on

the Governor for information in relation to the passage of the Relief Bill for the Banks and People of this State.

Mr. Jones moved that the resolution be laid on the table until Monday next.

Upon agreeing to which motion, the yeas and nays were recorded, and were yeas 59, nays 43.

Those who voted in the affirmative are Messrs :

Allred, Ashley, Barclay, Batts, Boggs, Briscoe, Byars, Carter of Echols, Carter of Elbert, Chester, Cone, Cowen, Crittenden, Delaperriere, Denham, Donaldson, Duncan, Glover, Grice, Griffin of Twiggs, Hart, Head, Hightower, Hitchcock, Hood, Hyde, Ivey, Jones, Lockhart, Maddox, Merrill, McDuffie, McGhee, McKee, Morris, Oliver, Painé, Pruitt, Quillian, Reid of Taliaferro, Ritch, Seward, Shellnut, Sirman, Smith of Hancock, Smith of Talbot, Snell, Sturges, Summerour, Sweat, Tarver, Tillman, Turner, Trippe, Wallace, Whitworth, Williams of Berrien, Williams of Rabun, Young.

Those who voted in the negative are Messrs. :

Alexander, Bond, Brown, Cannon, Collier, Cook, Davison, Davis, Evans, Ferrell, Flewellen, Fulton, Gartrell, Gaston, Hackett, Harris of Worth, Harvin, Hines, Holt, Jamison, Johnson of Clayton, King, Lawton, Lenoir, McLeod, Moore of Laurens, Moore of Whitfield, Poole, Printup, Riley, Rushin, Sawyer, Spalding, Tatum, Tracy, Usry, Ward, Ware, Wells, Whitehurst, Williams of Terrell, Wilson, Wynne.

So the motion prevailed.

Mr. Paine from the Committee on Enrollment, reported as duly enrolled, and ready for the signature of the President of the Senate :

An act to grant relief to the Banks and the People of this State, and to repeal certain clauses of the act entitled an act to provide against the forfeiture of the several bank charters in this State, on account of the non-specie payment for a given time, and for other purposes, passed in the year 1857, and to suspend the pains and penalties imposed upon the several banks and their officers in this State, for the non-payment of specie, and for other purposes.

The hour of adjournment having arrived, the President adjourned the Senate until 9½ o'clock to-morrow morning.

SATURDAY, DECEMBER 1ST, 1860. }

9½ o'clock, A. M. }

The Senate met according to adjournment, Hon. John Billups, President *pro tem.* in the Chair, and was opened with prayer by Rev. Mr. Lane.

Mr. Bartlett introduced a bill to add an additional section to the Penal Code ; which was read the first time.

Mr. Collier offered the following resolution, which was read :

Resolved, by the Senate and House of Representatives of the State of Georgia, that the present General Assembly will adjourn *sine die* on Wednesday 12th Dec. 1860.

Mr. Cowen introduced a bill to compel Justices of the Peace in this State, to give bond and security, and for other purposes ; which was read the first time.

Mr. Harris of Dougherty, presented the proceedings of a meeting of the citizens of the county of Dougherty, relative to our Federal Relations ; which were read

Mr. Harris of Worth, introduced a bill to alter and amend an act entitled an act, to prohibit the sale of deadly weapons, and to prescribe the manner of carrying the same, and to provide for a violation of the same, and for other purposes therein mentioned, assented to January 12th 1852, so far as to add a proviso to the third section thereof ; which was read the first time.

Mr. Davison introduced a bill to incorporate the town of Belleville, in the county of Richmond ; which was read the first time.

Mr. Johnson of Clayton, introduced a bill to change the lines between the counties of Fayette and Clayton, so as to include the residence of S. A. Harris in the county of Clayton ; which was read the first time.

Mr. Lawton introduced a bill to amend the acts of the General Assembly of the State of Georgia, relative to trading with slaves, gambling with slaves, and selling or furnishing liquor to slaves, and other offences relative to slaves. which was read the first time.

Mr. McLeod introduced a bill to authorize the Ordinaries of this State to issue executions in favor of widows and minors, for the twelve months' support ; which was read the first time.

Mr. Moore of Whitfield introduced a bill to incorporate the Baptist Church of Christ, at Deep Spring in Whitfield county : which was read the first time.

Mr. Bitch introduced a bill to reduce the work on roads in this State, so far as relates to the county of Appling; which was read the first time.

Mr. Paine introduced a bill for the relief of J. C. Vick of Telfair county; which was read the first time.

Mr. Sheppard introduced a bill to change the county line between the counties of Terrell and Webster; which was read the first time.

Mr. Spaulding offered the following resolution; which was read:

Resolved, by the Senate and House of Representatives in General Assembly met, that the Governor be required to purchase of the Manufacturers, two hundred and fifty Maynard Rifles, twenty-six inch barrels, and seven hundred and fifty Carbines, twenty inch barrels, with the necessary implements to said guns, for the defence of the Coast of Georgia.

Mr. Sturges introduced a bill to regulate the granting licenses to retail spirituous liquors in the county of Burke, and for other purposes; which was read the first time.

Mr. Turner presented a memorial from the Justices of the Inferior Court of Putnam county, which was read and referred to the committee on new counties and county lines.

Mr. Riley introduced a bill to renew and continue in force an act amendatory of, and additional to an act, to alter and amend an act, to provide for the compensation of Grand Jurors of Lumpkin county, passed Dec. 7th, 1843, and for other purposes; which was read the first time.

Mr. Tracy introduced a bill to extend the time for opening books of subscription, under the charter of the Central Insurance Company of Georgia, and for other purposes; which was read the first time.

Mr. Welborn introduced a bill for the relief of E. T. Linah, of Warren county, from the double tax imposed for the year 1860; which was read the first time. Also,

A bill to incorporate the Warren County Agricultural Society; which was read the first time.

Mr. Harris of Worth introduced a bill to change the law relative to evidence; which was read the first time.

Leave of absence was granted Mr. Trippe, for to-day, on account of indisposition.

The Senate took up, as the report of the Committee of the whole, a bill to change the lines between Henry and Butts counties.

The report was agreed to. The bill was read the third time and passed.

Mr. Holt moved that when the Senate adjourn to-day, it adjourn until 9½ o'clock Monday morning next ; which was agreed to.

Mr. Paine from the committee on enrollment reported as duly enrolled and signed by the Speaker of the House of Representatives, and ready for the signature of the President of the Senate, a series of resolutions relative to the death of the late Speaker of the House of Representatives, the Hon. Isaiah T. Irvin.

The Senate took up as the report of the committee of the whole the special order, which was a bill to revise the jury system of this State, and the substitute offered in lieu thereof.

Mr. Evans moved to withdraw the substitute ; which was agreed to.

Mr. Smith of Talbot moved to amend the report by striking out in the first section of said bill the words "not being" and inserting in lieu thereof, the word "except," also by inserting after the words "teachers of schools" the words "all other persons exempt by law;" which was agreed to.

Mr. Evans moved further to amend the report by striking out in the 7th section the words "and to nothing else" and inserting in lieu thereof the words "and to the duties of special jurors when required by the court;" which was agreed to.

Mr. Evans moved further to amend the report by striking out the 8th section, and offering a substitute therefor ; which was agreed to.

Mr Smith of Talbot moved further to amend the report, by inserting in the 10th section after the words "Superior Court" the words "and all new trials;" which was agreed to.

Mr. Jones moved further to amend the report by striking out in the 10th section the words "neither Plaintiff nor Defendant shall have an appeal from any confession of judgment or from a verdict of a jury."

Mr. Hart moved the indefinite postponement of the bill and its amendments.

Upon agreeing to which motion the yeas and nays were required to be recorded, and were yeas 54, nays 42.

Those who voted in the affirmative are Messrs.:

Allred, Ashley, Batts, Bond, Briscoe, Burnett, Cannon, Carter of Echols, Cone, Delaperriere, Denham, Donaldson, Gartrell, Gaston, Glover, Green, Grice, Hackett, Hart, Harris of Dougherty, Harris of Worth, Harvin, Head, Hightower, Hines, Hitchcock, Hyde, Ivey, Jones, Lockhart, Lott, McDuffie, Moore of Laurens, Morris, Poole, Pruitt, Quillian, Reid of Taliaferro, Riley, Sawyer, Shellnut, Sirman, Snell, Stowers, Summerour, Sweat, Tillman, Wellborn, Whitworth, Williams of Berrien, Williams of Rabun, Williams of Terrell. Wilson, Young.

Those who voted in the negative are Messrs.

Alexander, Barclay, Boggs, Byars, Brown, Carter of Elbert, Chester, Collier, Cooper, Cook, Cowen, Crittenden, Davison, Davis, Duncan, Evans, Ferrill, Flewellen, Hill of Troup, Holt, Hood, Johnson of Clayton, King, Lawton, Lenoir, Merrill, McGehee, McLeod, McKee, Moore of Whitfield, Oliver, Ritch, Roberts, Sheppard, Smith of Talbot, Sturges, Tatum, Tracy, Wallace, Ward, Whitehurst, Wynne.

So the motion to postpone indefinitely prevailed.

On motion the rules were suspended, and Mr. King introduced a bill to authorize and require the Governor to contract for five thousand Sharp's breech loading rifles ; which was read the first time.

The Senate took up, as the report of the Committee of the whole, a bill to postpone an act to regulate the Agencies of Foreign Insurance Companies.

The report was agreed to. The bill was read the third time and passed.

On motion of Mr. Seward a resolution previously offered by him relative to the boundary line between this State and Florida, was taken up and made the special order for Monday next.

The Senate took up the following resolution, which was read and agreed to :

Resolved, That the Judiciary Committee be requested to examine an act passed in 1858, authorising Ordinaries of this State to issue cost fi. fas., and if they consider it expedient, to report a bill requiring Ordinaries in this State to serve administrators, executors, and guardians, and their securities with notice of the cost due before issuing fi. fas. for cost due them.

On motion of Mr. McGehee, the rules were suspended, and a series of resolutions previously offered by him, relative to our Federal Relations, were taken up and made the special order for Tuesday next, and 150 copies ordered to be printed for the use of the Senate.

The Senate took up as the report of the Committee of the Whole, a bill to repeal an act entitled an act to alter and amend the road laws of this State, so far as relates to the county of Montgomery, assented to the 19th of December, 1840.

The report was agreed to. The bill was read the third time and passed.

The Senate took up as the report of the Committee of

the Whole, a bill to alter the line between the counties of Walker and Whitfield.

The committee on new counties and county lines, to whom said bill was referred, reported against its passage.

Upon agreeing to which report, the yeas and nays were recorded, and were yeas 56, nays 20.

Those who voted in the affirmative are Messrs. :

Alfred, Barclay, Batts, Bond, Brown, Cannon, Chester, Collier, Cook, Cone, Cowen, Davis, Delaperriere, Denham, Donaldson, Flewellen, Fulton, Gartrell, Gaston, Greene, Grice, Hart, Harris of Dougherty, Harris of Worth, Harvin, Head, Hightower, Hines, Holt, Johnson of Clayton, King, Lenoir, Lott, McGehee, McLeod, McRae, Paine, Poole, Quillain, Reid of Taliaferro, Riley, Ritch, Sawyer, Shellnut, Sirman, Smith of Hancock, Smith of Talbot, Sturges, Summerour, Sweat, Tillman, Wallace, Ward, Whitworth, Williams of Berrien, Williams of Rabun, Young.

Those who voted in the negative are Messrs. :

Boggs, Burnett, Byars, Carter of Elbert, Crittenden, Duncan, Ferrill, Hitchcock, Hyde, Ivey, Lawton, Lockhart, Moore of Whitfield, Morris, Oliver, Pruitt, Snell, Tatum, Wilson, Wynne.

So the report was agreed to, and the bill was lost.

Mr. Paine, from the Committee on Enrollment, reported as duly enrolled, and signed by the Speaker of the House of Representatives, and ready for the signature of the President of the Senate,

An Act for the relief of Charles Whitlock, of the county of DeKalb.

The hour of adjournment having arrived, the President adjourned the Senate until Monday morning next, 9½ o'clock.

MONDAY, DECEMBER 3D, 1860. }

9½ o'clock, A.M. }

Senate met according to adjournment, Hon. John Billups, President *pro tem*, in the chair, and was opened with prayer by the Rev. Mr. Flinn.

Mr. Cone offered the following resolution, which was taken up, read, and agreed to:

Resolved, That leave of absence, for a few days, be granted to Fred. H. West, Secretary of the Senate, and that James A. Pringle, Esq., be appointed Secretary *pro tem* of the Senate.

Leave of absence was granted Messrs. Cook and Merrill, for a few days, on special business.

Mr. Smith, of Talbot, moved to reconsider so much of the journal of Saturday as relates to the vote by which a bill to revise the jury system of this State was indefinitely postponed; which was lost.

The Senate took up, as the report of the Committee of the Whole, a bill to authorize the Inferior Court of Franklin county to assess an additional tax for the support of the poor of said county.

The report was agreed to, the bill was read third time, and passed.

The following message was received from the House of Representatives by Mr. Hillyer, their Clerk:

Mr. President—The House of Representatives have passed the following bill of the Senate:

A bill to alter and change the name of the Thomaston & Barnesville Rail Road Company to that of the Upson county Rail Road Company, to incorporate the same, and for other purposes.

They have also passed the following bill of the House of Representatives

A bill for the relief of Jeremiah H. Dupree, Receiver of the Tax Returns in and for the county of Dooly.

They have also agreed to the following

Resolution to request the Governor to furnish the officers of the volunteer companies of this State with side-arms.

On motion of Mr. Harris, of Worth, the Senate took up the special order, which was the following resolution of the House of Representatives:

WHEREAS, in the veto-message of his Excellency the Governor—delivered to the Senate, and read in the House this day—to the bill for the suspension of the banks, and relief of the people of the State of Georgia, he has used the following language, to-wit: "Why is it that these gentlemen never take upon themselves to guard the people's interest, and spend money to secure the passage of bills through the Legislature, except when it is desirable to pass a bank suspension bill?" Therefore,

Be it Resolved, by the Senate and House of Representatives, That his Excellency be requested to lay before the General Assembly any information he may have going to

show that any member of this General Assembly has been influenced to vote for a bank suspension bill by means of money of the bank, or that any bank in this State has employed money to secure the passage of this bill.

Mr. Wallace moved to amend the foregoing by the following, as a substitute in lieu thereof:

WHEREAS, in the veto-message of his Excellency the Governor—which was read in the Senate, on the 30th day of November—his Excellency used the following language: “Why is it that these gentlemen never take upon themselves to guard the people’s interest, and spend money to secure the passage of bills through the Legislature, except when it is desirable to pass a bank-suspension bill?”

And whereas, the language used is supposed by some to be subject to misconstruction by those that may read said message, and that they might come to the conclusion that his Excellency intended to convey the idea that some member or members have been influenced by monied consideration to vote for said bill. Be it therefore

Resolved, by the Senate, That we respectfully request his Excellency the Governor to relieve said language from all ambiguity by furnishing us an explanation of the true meaning of the same; which was lost.

Mr. Harris, of Worth, moved to concur in the original resolution of the House of Representatives.

Upon agreeing to which motion, the yeas and nays were recorded, and were, yeas, 85; nays, 13.

Those who voted in the affirmative are Messrs.

Alexander, Ashley, Batts, Boggs, Bond, Briscoe, Brown, Burnett, Byars, Cannon, Carter of Elbert, Chester, Collier, Davison, Davis, Delaperriere, Denham, Donaldson, Evans, Ferrill, Flewellen, Fulton, Gartrell, Gaston, Glover, Green, Grice, Hackett, Hart, Harris of Dougherty, Harris of Worth, Harvin, Head, Hill of Troup, Hines, Hitchcock, Holt, Hood, Hyde, Ivey, Jamison, Johnson of Clayton, Johnson of Cass, Jordan, King, Lawton, Lenoir, Lockhart, Lott, McDuffie, McLeod, McRae, Moore of Whitfield, Paine, Poole, Pruitt, Quillian, Reid of Morgan, Reid of Taliaferro, Riley, Ritch, Roberts, Sawyer, Seward, Shelton, Shellnut, Sheppard, Sirman, Smith of Hancock, Smith of Talbot, Snell, Spalding, Stowers, Sweat, Tarver, Tillman, Turner, Tracy, Ward, Wellborn, Wells, Whitworth, Williams of Rabun, Williams of Terrell, Wilson, Wynne.

Those who voted in the negative were Messrs.

Allred, Barclay, Cowen, Crittenden, Hightower, Jones, Maddox, Oliver, Sturges, Summerour, Wallace, Williams of Berrien, Young.

So the resolution was concurred in.

The following message was received from the House of Representatives by Mr. Hillyer, their Clerk :

Mr. President—The House of Representatives have passed the following bill :

A bill to protect the rights of the people of Georgia.

On motion of Mr. Seward, the special order, which was the following resolution, was taken up, read, and agreed to:

Resolved, by the General Assembly, That the Governor of Georgia be directed to re-open negotiations with the authorities of the State of Florida, in regard to the boundary-line between the two States, and to urge an adjustment of the disputed line, so as to protect the rights of citizenship of the people residing near the line who have been recognized by the laws and Constitution of this State as being citizens of Georgia, so as also to protect the titles of citizens to the lands which they hold under grants issued by this State, and to have, if practicable, the boundary fixed so as to retain and keep the fractional lots of land sold by Georgia within the jurisdiction of this State.

Mr. Seward, from the committee to whom was referred the message of his Excellency the Governor upon the subject of the boundary-line between the States of Georgia and Florida, made the following report:

The committee to whom was referred the message of the Governor, upon the subject of the boundary line between the States of Georgia and Florida,

Upon the examination of the question of the boundary line between Georgia and Florida, your committee find that by the treaty of 27th Oct., 1795, while Florida was a Spanish Province, the Southern boundary between the United States and the Spanish Province of Florida, was defined in the treaty, in these words: "The Southern boundary of the United States, which divides their Territory from the Spanish colonies of East and West Florida, shall be designated by a line beginning on the river Mississippi, at the Northern part of the 31st (thirty-first) degree of latitude, North of the equator, which from thence shall be drawn a

line due East to the middle of the river Apalachicola or Chattahoochee, thence along the middle thereof to its junction with the Flint River, thence straight to the head of the St. Marys, and thence down the middle thereof to the Atlantic Ocean."

When the Constitution of Georgia was adopted in 1798, the convention which framed that instrument, introduced into it the following clause: "The property of the soil of a free Government, being one of the essential rights of a free people, it is necessary to avoid disputes, that the limits of this State should be ascertained with precision and exactness; and this convention, composed of the immediate representatives of the people chosen by them to assert their rights, and to revise the powers given by them to the Government, and from whose will all ruling authority of right flows, doth assert and declare the boundaries of this State as follows," and then defines the Southern bounday, "from a point designated, to the middle of the river Apalachicola or Chattahoochee, thence along the middle thereof, to its junction with Flint river, thence straight to the head of St. Marys river, and thence along the middle of St. Marys river to the Atlantic Ocean," adopting the precise language of the treaty of 1795, above referred to.

In the year 1834, the Legislature of Georgia passed an act to authorize the Sheriffs of the counties of Decatur, Thomas, Lowndes, Ware and Wayne, to sell the fractions of Land in said counties, and for other purposes. Under this act the fractional lots of land lying on the Florida line were sold and purchased by the citizens of Georgia, many of whom are thereon, and holding as title thereto Grants from the State of Georgia.

In 1815, Governor Crawford, in a Special Message brought this question of boundary to the attention of the Legislature. In this message he remarked that any laws relative to the boundary should be made provisionally subject to the ratification of two successive Legislatures, unless the boundary be established in conformity with the Constitution.

In 1847, Governor Crawford appointed Commissioners Messrs. J. H. Couper and Joel Crawford; and in his message of that year he says, that the proposition to run the line eastward to the highest point on the principal branch of the St. Marys river, at which its tributaries accumulate, would have met his approval, still adhering to the Constitution of Georgia.

Propositions were again received under the administration of Governor Johnson, and commissioners appointed to run and mark the line of boundary between the two States.

Governor Crawford and Governor Johnson both interrupted the proceedings of the commissioners, on the ground that the authorities of Florida did not agree to make the survey under the treaty of 1795, or the Constitution of Georgia, as understood by the Governor of Georgia.

Without incorporating in this report, the various propositions for adjusting the line between the two States, it is believed that the causes of difficulty have been fully presented, growing out of the treaty of 1795, and the Constitution of Georgia.

The same difficulties exist now, in considering the present survey. The recent acts of the Legislature in regard to the survey of the disputed line, were passed upon the principle of entire reciprocity and agreement upon the part of Florida. The State of Florida, jealous of her sovereignty, and recognizing her duty to protect the rights of her citizens in the soil, reserved, in her legislation, the right unqualifiedly to treat the proposed survey as a nullity, should the line of survey run below what was denominated as the "McNeil line," and, also, failed to secure the title to lands claimed by the citizens of Georgia, or to recognize their title, or to provide compensation therefor, but virtually recognized the right of all classes of claimants who might set up their claim to lands, should a more Southern line be run than was contemplated, and the domicil of these citizens be brought within the limits of Georgia. Still, the title of such persons was in effect to be absolute, and paramount to those claiming title from the State of Georgia.

Again, the committee cannot admit that the recent survey is correct, in the absence of any evidence that the point of beginning the survey was accurate, said survey did not begin at the junction of the Flint and Chattahoochee rivers, but at a point *assumed* to be correct. The point mentioned in the treaty of 1795, between Spain and the United States, is at the junction of the Flint and Chattahoochee rivers.—The survey made in 1859, after the lapse of 64 years, could not be correct, unless the exact latitude and longitude of the original point of junction had been ascertained, because the rapid currents of the two rivers, would, in that period, have washed away the land which formed the point of junction 64 years ago.

Again, the act of the Legislature making Ellicott's Mound the eastern terminus of the line of boundary was in contravention of the treaty of 1795, and of the Constitution of the State of Georgia; Ellicott's Mound never having been recognized either by the Federal or State authorities as being correct or valid.

Again, it was not pretended that even if the terminal

points were correctly ascertained, the survey was accurate, because, with the ordinary compass and chain, Professor Orr, who was before your committee, did not pretend that the survey could accurately be made upon the area of a circle, but could only be approximately correct; hence, the the survey relied upon did not approximate with the "McNeil line," the "Watson line," or the line assumed by Crawford and Couper, or by Butts, or any line ever before surveyed, in part or in whole.

The line now assumed to be the line recently run by Professor Orr, on the part of Georgia, and Mr. Whitner on the part of Florida, it is said, commences at the junction of the rivers Flint and Chattahoochee; and is run upon a straight line east to within twenty-four (24) feet of Ellicott's Mound. Either this line is crooked, or all the preceding lines are crooked; because, while the eastern terminus is said to be only twenty-four (24) feet from Ellicott's Mound, it is nevertheless the fact that bordering the lines of Thomas and Brooks counties, at least one mile in breadth of the soil of Georgia, and her citizens is severed from the State and added to Florida. There is an error somewhere in the survey. But there is a fundamental and incurable error, because Ellicott's Mound is not the head of the St. Mary's river, and to assume this to be the eastern terminus, of the line is in violation of the Constitution of Georgia, and of the treaty of 1795, which is the supreme law of the land.

Your committee, therefore, recommend that the Governor of Georgia re-open negotiations with the authorities of Florida, and insist upon a re-survey upon the line indicated by the treaty of 1795, and the Constitution of Georgia.

Leave of absence was granted Mr. Tatum for the balance of the session, on account of indisposition.

Leave of absence was granted Messrs. Cowen, Bartlett and Johnson of Cass, for a few days, on special business.

Mr. Pruitt presented the proceedings of a meeting of the citizens of Banks county, relative to our Federal Relations, which were read.

The Senate took up as the report of the Committee of the Whole, a bill to repeal an act requiring the clerks of the Court of Ordinary of the several counties of this State to advertise all applications for letters of administration at the Court House door thirty days before granting such letters.

The report was agreed to. The bill was read the third time and passed.

The Senate took up, as the report of the Committee of the Whole, a bill to provide a mode by which the Ordinaries may compel the more speedy distribution and settlement of

estates in the hands of Executors, Administrators and Guardians.

On motion the same was referred to the Committee on the Judiciary.

The Senate took up as the report of the Committee of the Whole, a bill for the relief of Hall county.

The report was agreed to. The bill was read the third time and passed.

The Senate took up as the report of the Committee of the Whole, a bill to lay out and organize a new county from the counties of Hall and Gwinnett.

On motion the same was indefinitely postponed.

The Senate took up as the report of the Committee of the Whole, a bill to amend the 12th section of the 13th division of the Penal Code.

On motion the same was referred to the Committee on the Judiciary

The Senate took up as the the report of the Committee of the Whole, a bill for the benefit of the McDuffie Rifles, a volunteer company organized in Warren county

Mr. Collier moved to amend the report by adding an additional section incorporating the Jackson Guards, a volunteer company of the city of Atlanta, in the county of Fulton.

Which was agreed to.

Mr. King moved further to amend the report, by adding an additional section, incorporating the Wire Grass Minute Men, a volunteer corps of Light Infantry in Wareboro, Ware county.

Which was agreed to.

The report as amended was agreed to. The bill was read the third time and passed.

The Senate took up, as the report of the Committee of the Whole, a bill to change the line between the counties of DeKalb and Gwinnett.

The report was agreed to.

Upon the question "shall this bill now pass?" the yeas and nays were recorded, and were yeas 19, nays 58.

Those who voted in the affirmative were Messrs.

Alexander, Boggs, Burnett, Byars, Carter, of Elbert, Davis, Gartrell, Gaston, Harris, of Dougherty, Hightower, Hitchcock, Holt, Hyde, Johnson of Clayton, King, Moore, of Whitfield; Pruitt, Roberts. Wellborn.

Those who voted in the negative, are Messrs.

Allred, Ashley, Barclay, Batts, Bond, Briscoe, Brown, Cannon, Carter, of Echols, Chester, Crittenden, Denham,

Donaldson, Ferrill, Flewellen, Glover, Green, Grice, Hackett, Hart, Harris, of Worth, Harvin, Head, Hines, Hood, Jamison, Lenoir, Lockhart, McDuffie, McRae, Morris, Oliver, Reid, of Morgan, Reid, of Taliaferro, Riley, Ritch, Sawyer, Shelton, Shellnut, Sirman, Smith, of Hancock, Smith, of Talbot, Snell, Sturges, Summerour, Sweat, Tarver, Tillman, Turner, Wallace, Ward, Wells, Whitworth, Williams, of Berrien, Williams, of Rabun, Wilson, Wynne, Young.

Yeas 19, nays 58. So the bill was lost.

The Senate took up, as the report of the Committee of the Whole, a bill to alter and amend an act to require all fines collected for neglect of road duty in the county of Decatur to be applied to the improvement of the roads within the District where said default or neglect of duty occurred, assented to 30th Dec. 1836.

The report was agreed to. The bill was read the third time and passed.

The Senate took up as the report of the committee of the whole, a bill to compensate Justices of the Peace in the county of Decatur, for taking list of poor children and returning to the Ordinary.

The report was agreed to. The bill was read the third time and passed.

The Senate took up as the report of the committee of the whole, a bill to authorize the levy and sale of judgments and executions of non-residents of this State.

On motion, the same was referred to the Committee on the Judiciary.

Mr. Lawton moved that the afternoon session of to-day be devoted the reading of bills first and second time only, which was agreed to.

Mr. Lawton offered the following resolution, which was taken up, read and agreed to.

Resolved, By the Senate and House of Representatives, in General Assembly met, that His Excellency, the Governor be, and he is hereby requested to have removed from the vault in which now rest at or near the Navy Yard at Pensacola, the remains of the late Commodore James McIntosh, an illustrious son of Georgia and to have the same interred within the State of Georgia, at such place as the nearest relatives of the deceased may desire, and that the expenses attending such removal and interment be paid out of the contingent fund.

The hour of adjournment having arrived, the President adjourned the Senate until 3 o'clock, P. M.

THREE O'CLOCK P. M.

The Senate met according to adjournment, Hon. John Billyps, President, *pro. tem.* in the chair.

The Senate took up the following bills, which were severally read the second time, and referred to the Committee of the whole :

A bill to allow and authorize William J. Avery of the county of Meriwether, to peddle in the same, without license ; also,

A bill to regulate and prescribe the fees of Juries in civil cases, so far as relates to the county of Catoosa, and for other purposes ; also,

A bill to consolidate the offices of Tax Collector and Receiver of tax returns in the county of Catoosa, and for other purposes ; also,

A bill to legalize the acts and doings of A. B. Dearing, as administrator of his father, William Dearing, deceased ; also,

A bill to amend an act entitled an act to name and incorporate the town of Spring Place, in the county of Murray, assented to in 1834, and to repeal an act to amend the 6th section of the above recited act, assented to 1839, and for other purposes hereinafter mentioned ; also,

A bill to incorporate the Hephzebath High School, in the county of Richmond, to appoint Trustees for the same, and for other purposes therein mentioned ; also,

A bill to legalize the marriage of J. M. Painter, and Synthia Robison both of the county of Gilmer ; also,

A bill to make the representative of estates, subject to garnishment in certain cases therein named ; also,

A bill to authorize the City Council of Rome to subscribe one hundred thousand dollars of stock in the Georgia and Alabama Railroad company, upon certain conditions, and for other purposes, passed Dec. 22d 1857 ; also,

A bill to incorporate the town of Montezuma, in Macon county, and to repeal the 12th, 13th and 14th sections of an act, approved 8th Feb. 1854 ; also,

A bill to prevent the dismissal of cases pending in favor of the Central Bank ; also,

A bill to consolidate the offices of Clerk of the Superior and Inferior Courts of Clayton county ; also,

A bill to incorporate the Fire Insurance Company of the city of Savannah ; also,

A bill to amend the charter of the Georgia and Western Railroad company, and for other purposes ; also,

A bill to alter and amend the patrol laws of this State and for other purposes therein mentioned ; also,

A bill to confer certain powers and privileges on the Tax Collector and tax payers of Stewart county ; also ;

A bill to authorize the Inferior Court of Henry county to levy an extra tax for the support of the indigent poor of said county ; also,

A bill to compensate the Sheriff of Decatur county for summoning jurors ; also,

A bill to provide for the defence of the State ; also,

A bill for the relief of Elsey B. Reynolds ; also,

A bill to regulate the granting licenses to retail spirituous liquors in the county of Burke, and for other purposes ; also,

A bill to renew and continue in force, an act amendatory of, and additional to an act, to alter and amend an act to provide for the compensation of Grand Jurors of Lumpkin county, passed Dec. 7th, 1843, and for other purposes ; also,

A bill to incorporate the Warren County Agricultural Society ; also,

A bill for the relief of E. T. Linah, of Warren county from the double tax imposed for the year 1860 ; also,

A bill to change the county line between the counties of Terrell and Webster ; also,

A bill to reduce the work on roads in this State so far as relates to the county of Appling ; also,

A bill for the relief of J. C. Vick of Telfair county ; also,

A bill to extend the time for opening books of subscription under the charter of the Central Insurance company of Georgia, and for other purposes ; also,

A bill to authorize and require the Governor to contract for five thousand Sharp's breech loading Rifles ; also,

A bill to incorporate the Baptist Church of Christ, at Deep Spring, in Whitfield county ; also,

A bill to incorporate the town of Belleville in the county of Richmond ; also,

A bill to amend an act incorporating the town of Butler, in Taylor county, and other places therein mentioned, approved Feb. 8th, 1854 ; also,

A bill to organize a Volunteer Battalion in the city of Macon to be called the Independent Volunteer Battalion of Macon ; also ;

A bill for the relief of Jas. P. Wilkinson, of the county of Walton security on the penal bond of B. S. Wilson ; also,

A bill to make penal the using of any poisonous substances in any of the water courses in Webster county, for the purpose of poisoning and catching fish ; also,

A bill to amend an act entitled an act to incorporate the Nacoochie Hydraulic Mining company, assented to Dec. 22d, 1857 ; also,

A bill to incorporate the Hall County Hydraulic Hose

Mining company, and for other purposes therein specified ; also,

A bill to incorporate the town of Lawrenceville, in Gwinnett county, to provide for the election of Commissioners, for the same, and to define the duties and authorities of said Commissioners, and for other purposes ; also,

A bill to amend an act entitled an act to alter and amend the road laws of this State, so far as relates to the county of Wayne, assented to Dec. 22d, 1857

The Senate took up the following bills, which were severally read the second time, and referred to the Committee on the Judiciary :

A bill to change the law relative to evidence ; also,

A bill to authorize the Ordinaries of this State to issue executions in favor of widows and minors for the 12 months' support ; also,

A bill to amend the acts of the General Assembly of the State of Georgia relative to trading with slaves, gambling with slaves and selling or furnishing liquor to slaves, and other offences relative to slaves ; also,

A bill to alter and amend an act entitled an act to prohibit the sale of deadly weapons, and prescribe the manner of carrying the same, and for other purposes ; also,

A bill to compel Justices of the Peace in this State to give bond and security, and for other purposes ; also,

A bill to add an additional section to the Penal Code ; also,

A bill to amend the 16th section of the act authorizing the issue of attachments and garnishment, assented to March 4th, 1856.

Mr. Harris, of Dougherty, from the committee on enrollment, reported as duly enrolled and ready for the signature of the President of the Senate,

An Act to alter and change the name of the Thomaston and Barnesville Railroad company, to that of the Upson county Railroad company ; to incorporate the same, and for other purposes.

The Senate took up the following bills which were read the second time, and referred to the committee on new counties and county lines :

A bill to create a new county out of the counties of Wayne and Appling ; also,

A bill to change the lines between the counties of Emanuel and Johnson ; also,

A bill to change the lines between the counties of Fayette and Clayton, so as to include the residence of S. A. Harris, to the county of Clayton.

The Senate took up the following bill which was read the second time, and referred to the committee on Banks,

A bill to incorporate the Georgia Banking company, and for other purposes therein named.

The Senate took up the following bill which was read the second time, and referred to the committee on Agriculture.

A bill to confer certain privileges therein named on the Cotton Planters' Association of Georgia.

The Senate took the following bill which was read the second time, and referred to a special committee of three :

A bill to amend an act entitled an act to lay out and organize a new county from the counties of Lumpkin and Gilmer, assented to Dec. 3d, 1857

In pursuance of which the President appointed Messrs. Summerour, Riley, and Cowen as said committee.

Mr Harris, of Dougherty, from the committee on enrollment, reported as duly enrolled and signed by the Speaker of the House of Representatives, and ready for the signature of the President of the Senate :

A resolution calling on the Governor for information in relation to the passage of the Relief Bill.

The Senate took up the following bills of the House of Representatives, which were severally read the second time and referred to the committee of the whole.

A bill to incorporate the Rome Light Guards, a Volunteer Corps in the city of Rome, in the county of Floyd, and the Oconee Cavalry, in the town of Athens, and for other purposes. Also,

A bill to consolidate the offices of Clerk of the Superior and Inferior Courts, of Dawson, Stewart and DeKalb counties. Also,

A bill to incorporate the Loud Hydraulic Hose Mining Company. Also,

A bill to incorporate Liberty Hill Baptist Church, in the county of Henry, and for other purposes.

The Senate took up the following bill of the House of Representatives, which was read the second time and referred to the committee on the Judiciary.

A bill to regulate the liquor traffic in the county of Fannin.

The Senate took up the following bills of the House of Representatives, which was severally read the first time, to-wit :

A bill for the relief of Jeremiah H. Dupree, Receiver of tax returns in and for the county of Dooly. Also,

A bill to protect the rights of the people of Georgia. Also,

A bill to incorporate the Altamaha Scout, at Jones Creek, in the county of Liberty, and the Brunswick Rifles, of the county of Glynn. Also,

A bill to incorporate Prospect Camp Ground, in the county of Floyd. Also,

A bill to change the line between the counties of Dawson and Lumpkin. Also,

A bill in relation to making returns by the Representatives of Guardians, Executors, Administrators and Trustees. Also,

A bill to add lot of land No. (354) three hundred and fifty-four, to the county of Lowndes, now Echols county, and to change so far the county lines, also, to change the lines between the counties of Pickens and Gordon. Also,

A bill to incorporate Blackshear Academy in Pierce county, and appoint Trustees for the same. Also,

A bill to change the time of holding the Superior Courts in the counties of Glynn, Wayne, Camden and Charlton, in the Brunswick Judicial Circuit. Also,

A bill to amend the 1st section of an act, passed in 1859, amending the charter of the town of Washington. Also,

A bill to incorporate the town of Colquitt in the county of Miller, to amend the second, fourth, and sixth sections of an act, incorporating the town of Blackshear, Pierce county, approved Dec. 16th, 1859, and add an additional section to said act, and to amend the act incorporating the town of Quittman, and for other purposes; also,

A bill to amend an act, entitled an act, to incorporate the Skidaway Shell Road Company, and for other purposes therein named; also,

A bill to prevent the firing of woods between the first day of May and the 1st day of Feb. in each and every year, in the county of Wilcox, and for other purposes; also,

A bill to approve, adopt and make of force, in the State of Georgia, a revised Code of Laws, prepared under the direction and by authority of the General Assembly thereof, and for other purposes therewith connected.

Leave of absence was granted Mr. Lenoir on account of ill health.

On motion of Mr. Spalding the rules were suspended, and the Senate took up as the report of the committee of the whole the following bill of the House of Representatives, to-wit :

A bill to amend the charter of the city of Darien, Georgia, so far as the election of Mayor is concerned.

The report was agreed to. The bill was read the third time and passed.

The Senate took up as the report of the committee of the whole, a bill to legalize the levy of an extra tax by the Inferior Court of Lee county, to build a turnpike.

The report was agreed to. The bill was read the third time and passed.

The following message was received from His Excellency the Governor, by Mr. Campbell his Secretary, to-wit :

Mr. President : I am directed by the Governor to lay before the Senate a communication in writing.

On motion the following communication in writing from His Excellency the Governor, was taken up and read:

EXECUTIVE DEPARTMENT, }
MILLEDGEVILLE, December 3D, 1860. }

To the Senate:

A resolution this day laid before me, discloses the fact that a misconstruction may have been put upon a sentence used in my message addressed to the Senate, accompanying the return of the bank bill. As the conduct of the Senate in connection with the message, has been neither hasty nor the result of passion, but has been characterized by dignity and self respect, as well as a proper respect for a co-ordinate branch of the Government, it affords me much pleasure to say to the Senate, that no charge of bribery was intended; that the language used was general, and was intended to be directed against what is usually known as lobby influence; when gentlemen leave their homes, and spend money for traveling expenses, tavern bills, &c., for the purpose of hanging around the General Assembly, to try to influence the minds of Members, so as to secure the passage of a particular bill.

I see nothing in the message which I desire to retract or modify. As no member of the Senate, to whom it was addressed, seems to have suspected that any sentence contained in it, was intended as a reflection upon himself, till the discovery was supposed to have been made elsewhere, I doubt not, upon a calm review of the language used, that each Senator will *now* say that he sees in it no imputation upon himself; as conscious innocence will never appropriate to itself language in which others can see no charge, or even dubious language, as an imputation of criminality.

JOSEPH E. BROWN.

On motion of Mr. Gaston the rules were suspended, and the Senate took up as the report of the committee of the

whole, a bill to amend the incorporation act of the town of Grantville, county of Coweta, passed on the 13th of February, 1854.

Mr. Harris of Dougherty, moved to amend the report by adding an additional Section incorporating Albany Lodge, No. 24 of Free and Accepted Masons of Dougherty county, Georgia; which was agreed to.

The report as amended was agreed to, the bill was read the third time and passed.

On motion the Senate adjourned until 9½ o'clock to-morrow morning.

TUESDAY, DECEMBER 4TH, 1860, }
9½ O'CLOCK A. M. }

Senate met according to adjournment, Hon. John Billups, President *pro tem.*, in the Chair, and was opened with prayer by Rev. Mr. Curtis.

Leave of absence was grant Mr. Morris, for the balance of the session, after the 11th inst., on account of indisposition.

Mr. Poole moved to reconsider so much of the Journal of yesterday as relates to the vote by which a bill to lay out and organize a new county from the counties of Hall and Gwinnett was indefinitely postponed.

Which was agreed to.

On motion the same was referred to the Committee on new counties and county lines.

Mr. Sturges moved to reconsider so much of the Journal of yesterday, as relates to a vote by which a bill to repeal an act requiring the clerks of the Court of Ordinary of the several counties of this State to advertise all applications for letters of administration at the Court House door of said counties, thirty days before granting such letters, was passed.

Which was agreed to.

On motion the rules were suspended, and the Senate took up as the report of the Committee of the Whole, a reconsidered bill, which was a bill to repeal an act requiring the clerks of the Court of Ordinary of the several counties of this State to advertise all applications for letters of administration at the Court House door thirty days before granting such letters.

Mr. Sturges moved to amend the report by adding the following proviso to the first section of said bill: "Provided, that the other requisites of the law have been complied with."

Which was agreed to.

The report as amended was agreed to. The bill was read the third time and passed.

Mr. Riley offered the following resolution, which was taken up read and agreed to:

Resolved, That the Senator from Chatham and the Senator from Muscogee, be added to the special committee of three to whom was referred the bill entitled an act to amend an act to lay out and organize a new county from Lumpkin and Gilmer.

Mr. Paine offered the following resolution, which was read:

Resolved, That a committee of five be appointed by the President to draft a bill to take into consideration a repeal or change of the 4th section of an act to grant relief to the Banks and the People of this State, by a supplemental act.

Mr. Paine moved to suspend the rule for the purpose of taking up the foregoing resolution.

Upon agreeing to which motion, Mr. Paine required the yeas and nays, which being recorded were yeas 44, nays 53.

Those who voted in the affirmative are Messrs.:

Alexander, Allred, Ashley, Barclay, Boggs, Bond, Briscoe, Chester, Collier, Cowen, Donaldson, Evans, Ferrill, Flewellen, Gartrell, Hackett, Harvin, Hightower, Hines, Hood, Hyde, Lockhart, Maddox, Maples, McRae, Moore of Whitfield, Morris, Oliver, Paine, Quillian, Riley, Ritch, Shelnut, Sheppard, Smith of Hancock, Smith of Talbot, Summerour, Tarver, Turner, Ward, Wellborn, Wells, Whitehurst, Young.

Those who voted in the negative are Messrs.:

Batts, Brown, Burnett, Byars, Cannon, Carter of Echols, Carter of Elbert, Crittenden, Davison, Davis, Delaperriere, Denham, Duncan, Fulton, Gaston, Glover, Green, Hart, Harris of Dougherty, Harris of Worth, Head, Hitchcock, Holt, Ivey, Jones, Jordan, King, Lamar, Lawton, Lott, McDuffie, McLeod, Moore of Laurens, Reid of Morgan, Reid of Taliaferro, Roberts, Rushin, Sawyer, Seward, Shelton,

Sirman, Snell, Stowers, Sturges, Sweet, Tillman, Tracy, Whitworth, Williams of Berrien, Williams of Rabun, Williams of Terrell, Wilson, Wynne.

So the motion to suspend did not prevail.

The Senate took up as the report of the Committee of the Whole, a bill to discharge William Rogers of the county of Milton, from the Trusteeship of the property of Mrs. Ann C. Lenoir, and her children, and to vest said Trusteeship in John W. Lenoir, the husband of Ann C. Lenoir, and the father of said children.

The report was agreed to. The bill was read the third time and passed.

The Senate took up as the report of the Committee of the Whole, a bill for the relief of James H. Erwin.

The report was agreed to. The bill was read the third time and passed.

The Senate took up as the report of the Committee of the Whole, a bill for the relief William J. Ammons, Sarah Ammons *alias* Sarah Wheeler, and for other purposes therein mentioned.

The report was agreed to. The bill was read the third time and passed.

The Senate took up as the report of the Committee of the Whole, a bill for the relief of Smith Campbell, late of Worth, now of Butts county

Mr. Briscoe moved to amend the report by adding an additional section, for the relief John Stewart, of the county of Baldwin.

Which was agreed to.

The report as amended was agreed to. The bill was read the third time and passed.

On motion the Secretary was ordered to transmit the same forthwith to the House of Representatives.

Mr. McLeod introduced a bill to incorporate the Swainsboro' Branch Railroad Company; which was read the first time.

Mr. Hackett introduced a bill to amend an act entitled an act to regulate the fees of Jurors in Justices Courts in the counties of Catoosa and Dade, so far as the same relates to the county of Catoosa; which was read the first time.

Mr. Harris, of Worth, introduced a bill to amend an act to regulate the Agencies of Foreign Insurance Companies, assented to December 12th, 1859, and to add an additional clause to the first section of said act; which was read the first time.

The following message was received from the House of Representatives, by Mr. Hillyer, their Clerk:

Mr. President : The House of Representatives have agreed to the following resolution :

A resolution to appoint commissioners to represent the stock of the State in elections and meetings of the stockholders of the Atlantic and Gulf Railroad Company ; which I am directed to transmit forthwith to this branch of the General Assembly.

The Senate took up as the report of the Committee of the Whole, a bill to regulate the admission of evidence.

The Committee on the Judiciary, to whom said bill was referred, moved to amend the report, by adding after the words "said Courts," in the first section, the words "on the civil side thereof," also by striking out the words "stated," and inserting in lieu thereof the word "proved."

Which was agreed to.

Mr. Holt moved further to amend the report, by inserting after the word "witness," the words "not being party to the record."

Which was agreed to.

Mr. McLeod moved further to amend the report, by adding the following proviso :

Provided, That the provisions of this bill shall not apply to any case now pending in any of the Courts of this State.

Which was agreed to.

The report as amended was agreed to.

Upon the question "shall this bill now pass?" the yeas and nays were recorded, and were yeas 55, nays 44.

Those who voted in the affirmative are Messrs.

Alexander, Ashley, Boggs, Brown, Burnett, Carter of Elbert, Chester, Collier, Cone, Crittenden, Davison, Davis, Delapierriere, Ferrill, Flewellen, Fulton, Gaston, Hart, Harris of Dougherty, Harris of Worth, Hill of Troup, Holt, Hood, Johnson of Clayton, King, Lamar, Lawton, Lockhart, Maddox, McDuffie, McGehee, McLeod, McRae, Moore of Whitfield, Morris, Paine Poole, Reid of Morgan, Ritch, Roberts, Rushin, Shelton, Sheppard, Smith of Talbot, Snell, Spalding, Sturges, Tarver, Turner, Tracy, Ward, Wells, Williams of Berrien, Wynne, Young.

Those who voted in the negative are Messrs.

Allred, Barclay, Batts, Bond, Briscoe, Byars, Carter of Echols, Cowen, Denham, Donaldson, Duncan, Evans, Garrett, Glover, Green, Grice, Hackett, Harvin, Head, Hightower, Hines, Hitchcock, Hyde, Ivey, Jannison, Jones, Jordan, Lott, Maples, Oliver, Pruitt, Quillian, Reid of Taliaferro,

Riley, Sawyer, Shellnut, Stowers, Sweat, Tillman, Wellborn, Whitworth, Williams of Rabun, Williams of Terrell, Wilson.

So the bill was passed.

Leave of absence was granted Mr. Wallace, for a few days, on special business.

Mr. Collier offered the following resolution, which was read :

Resolved, That no member of the Senate shall speak more than five minutes upon any one measure pending before this body, without leave of at least two-thirds of the members present, nor shall any member speak more than twice on the same measure.

Mr. Briscoe, from the Committee on Enrollment, reports as duly enrolled and signed by the Speaker of the House of Representatives and ready for the signature of the President of the Senate,

An Act to amend the charter of the city of Darien, so far as the election of Mayor is concerned.

The Senate took up the special order, which was the following resolution relative to our Federal Relations :

Whereas, a crisis is upon the people of the United States of incalculable magnitude and importance to all of them. A crisis of vital interest to the people of those States whose legislation and mobs have united to set at defiance the provisions of the Constitution. Of yet more interest to the people of all the free States, and of still increased and increasing interest to all the people of all the slave States ; to the violators of the Constitution of the United States is presented the issue, whether they shall succeed in what, if not their purpose, it must be blind to fatuity not to know will be the end of adherence to their position.

To the conservative element of the people of all free States, whether they shall endure and suffer the inevitable result of civil war or disunion brought on by the faithlessness and falsehood of their own legislatures and people.

To the people of the slave States whether they shall longer submit to Constitutional infractions, yield their equality in a common government and longer continue to suffer wrong, insult, and injury.

These issues, after long years of agitation have reached a point, when all concur that their settlement must be had, *be demanded*, and in terms neither to be misconstrued or misapprehended. The hour of settlement has come, the day of reckoning is at hand, and none desire, none are willing that it shall pass without such settlement, is finally and definitely.

ly had, if justly and rightly adjusted to be adhered to in good faith; if otherwise, that it shall be distinctly known, and that the end and results shall be now

In the opinion of this Legislature, no patriot is willing, will be content with any indefinite postponement. The people of all the Slave States are aroused and prepared with one voice and one heart no longer to complain and remonstrate, but emphatically *to demand* this adjustment, and fearlessly, immovably and firmly to stand upon such demand.

And, in the opinion of this Legislature, the force and effect of such demand, made after conference with each other by the fifteen slave States, will be increased *fifteen fold* over such demand made by any single State. No one of these States has any right to protect, any wrong to redress, which is not common to all.

Why then weaken their force and power by separate State action, at least until after such conference is asked?

Why not demand, each for itself and each for the other, a common redress for a common injury? Why not confer as to the mode and manner of that redress, and of resistance, if it be not, upon such demand, absolutely, totally, and immediately accomplished? The honor, the rights, the security, the success—it may be—the existence of these fifteen States, are alike at stake, and imperatively require a like protection.

If this be so, then may not any one State, by precipitate and separate action, hazard all these for itself, and alike hazard all for the others? May not such action, in advance of the preparation of the public mind of these fifteen States for concurrence, and the preparation of the public arm for proper and effectual defence and resistance, involve a danger of failure, which would be avoided by the proposed conference and much desired co-operation?

The General Assembly then of the State of Georgia, without assuming to direct, or in any manner to control or influence the action or deliberation of the proposed convention of the people of Georgia, do resolve,

1st, That it is just, right and expedient that there shall be a conference of the slaveholding States in this Union, that, through the delegates of the people, to that end duly appointed, that they may counsel, advise and consult with each other as to the mode and manner of resistance to be adopted in the existing exigency, by such States, respectively.

2d, *Resolved*, That such States be and are hereby invited and earnestly requested, by their people in primary assemblages, their Legislatures, or Conventions, as they shall see fit, to appoint delegates to such Convention, equal in number

to their Representatives in the Congress of the United States to assemble in the City of Atlanta, and State of Georgia, (the same being most central,) on Wednesday, the 20th day of February next.

And to the end that the results of such conference may be known and acted upon by each State for itself, *it approved.*

3d, *Be it further Resolved*, That the Legislature or Convention of each and every of such States be and are hereby earnestly requested and entreated to postpone any decided action until after such conference shall be had or declined by at least a majority of said fifteen States.

4th, *Resolved*, That His Excellency the Governor of Georgia be requested to forward copies of this Preamble and Resolutions to the Executive of each of the fifteen said States, requesting that the same be laid before any Legislature or Convention that may be assembled in their States respectively; and that he be further requested to lay the same before the Convention of the people of Georgia when assembled.

Mr. McGehee offered the following resolutions as a substitute in lieu of the original:

WHEREAS, The withdrawal of a number of the Southern States from the Union is regarded as certain, and as the people of our sister State, South Carolina, will soon assemble in convention, it is desirable that concert of action on the part of the Southern States should prevail in order that a mode of effectual resistance, on their part, should be adopted to defend their honor and rights in the Union, or their independence out of it; Therefore,

Be it Resolved, That the General Assembly of the State of Georgia will convene on the _____ of December, to elect _____ delegates, qualified by their wisdom, prudence and patriotism, to meet such other delegates as may be appointed by our sister Southern States to confer upon the best policy calculated to result in concert of action in the impending crisis, and that the delegates appointed on the part of those States be requested to assemble as soon as possible in the city of _____, in the State of _____, for consultation.

And be it further resolved, That his Excellency the Governor be requested to transmit a copy of this Resolution to the Executive of each of the Southern States, requesting co-operation in the foregoing resolution.

Mr. Evans moved to amend the same by the following, as a substitute:

WHEREAS, Large assemblies of the people, in various

counties of this State, have adopted resolutions expressive of a sense of their wrongs received at the hands of the Federal Government and of several Northern States, and which, having been transmitted to and read before the Senate and House of Representatives, call for some response on our part; Therefore,

Be it Resolved, 1st. That, in our opinion, the perpetuation of the Union, as it now is, ought neither to be desired, or attempted to be maintained by any Southern State; and our future federal connection with those States whose Governors, Legislatures, Judges and people have proven themselves to be our enemies, by continual violations of the Constitution, to do us injury and offer us insult, should be made to depend upon the action of the Federal Government, and of those States, since they have the power, and on them devolves the duty of preserving the existing Union, by an immediate, efficient and permanent concession of the just rights of each Southern State.

And whereas, many adjudications made by the Courts of several States, and the probable remodelling of the Supreme Court of the United States, adverse to the views of the South, demand that vital points in dispute between the North and the South, as to the construction of the Constitution, should be settled by proper amendments to that instrument. And if Congress is disposed to do justice to the South, and preserve the Union of the several States upon a basis of equal and exact justice to all the States and their citizens, (as it only can be preserved,) the evidence of that disposition will be furnished by their agreement to amendments proposed by representatives of the Southern people, and the immediate submittal of such amendments for an early action thereon by the several States; and, if there are ten Northern States willing to accede to the just requirements of the South, the evidence of such willingness can be at once furnished by an immediate ratification by those States of the amendments proposed. And thus the fifteen slave States secure a Constitution made according to the will of the South. Therefore,

Be it Resolved, 2dly. That our Senators and Representatives in Congress be requested to immediately introduce, for the action of the Congress of the United States, a bill proposing such amendments to the Constitution of the United States as will settle the points of construction that are in dispute between the North and the South, and provide for the most ample security and protection of the institutions of the South. And that said amendments be such as will receive the vote of the slaveholding States without being in any regard inefficient to the end proposed. And we express the desire that, if Congress should agree to propose

said amendments, the question of their ratification shall be directed to be submitted to conventions in the several States, to assemble not later than the second Wednesday in February next. And we do further earnestly request our Senators and Representatives in Congress to vacate their seats, and await the action of the approaching convention of the people of this State, should said proposed amendments fail to receive the vote in Congress required by the Constitution of the United States.

Resolved, 3d. That, in our opinion, it is highly desirable that all the States whose Constitutions and laws do not prohibit the holding of slaves as property, in the event the present federative connection between the several States is dissolved, should unite under one government; and, therefore, we earnestly invite all such States to send duly authorized representatives to a congress of Southern States, to be held at _____, on Wednesday, the 20th day of February next, for the purpose of considering such new amendments as may have by that time been made to the Constitution of the United States, and all other tenders of redress and security made by other States, and by the General Government. And, these being insufficient, to unite together in a declaration of withdrawal from the present confederation, and the formation of a constitution for a government of themselves, similar in all material respects to our present Federal Constitution and form of government, only introducing such changes as the condition of the States requires, not affecting the form of government.

Resolved 4th. That the Constitution agreed upon by the Southern Congress, in the event of their declaration of separation, should be submitted to the ratification or rejection of each Southern State; and, in our opinion, any State ratifying and adopting said Constitution should be received as a member of the new confederacy.

Resolved 5th. That, for the purpose of obtaining united action by all or a majority of the slaveholding States, we request each Southern State to postpone any positive act of secession until the proposed congress shall be held or declined by at least a majority of the Southern States; but, in the event any Southern State shall see proper to declare her immediate and separate secession, such State is still invited to send representatives to said congress, to be received upon the same footing, and have the same powers and privileges as the representatives of any other State.

Resolved 6th. That, in our opinion, each State has the right to secede from the Union, for just cause, to be decided by herself, and that the Federal Government has no lawful or rightful power to coerce such seceding State; therefore,

it is the duty of Georgia, in the maintainance of her own sovereignty, to interfere against the exercise of any such unlawful power by the Federal Government.

Resolved 7th. That, in our opinion, to prevent any conflict of views between the convention of the people soon to assemble and our representatives to the Southern Congress, it is inexpedient for this Legislature to select such representatives, but that duty devolves on the said convention.

Resolved 8th. That a duly authenticated copy of these resolutions be forwarded by his Excellency the Governor to the executive of each Southern State, with the request to lay them before their legislatures and conventions, and a copy also to our Senators and Representatives in Congress.

Mr. Spalding moved to lay on the table, for the balance of the session, the original resolution and substitutes offered therefor, and moved the previous question.

Upon the question "will the Senate sustain the call for the previous question?" the yeas and nays were recorded, and were, yeas, 18; nays, 50.

Those who voted in the affirmative are Messrs.

Ashley, Burnett, Byars, Cannon, Carter of Echols, Carter of Elbert, Collier, Cooper, Cone, Cowen, Denham, Donaldson, Duncan, Fulton, Gartrell, Gaston, Green, Hackett, Hart, Harris of Worth, Harvin, Head, Hightower, Hitchcock, King, Lamar, Lawton, Lott, Maddox, McDuffie, Moore of Whitfield, Oliver, Pruitt, Ritch, Roberts, Sawyer, Shellnut, Sirman, Snell, Spalding, Stowers, Sturges, Tillman, Tracy, Whitworth, Williams of Berrien, Wilson, Young,

Those who voted in the negative are Messrs.

Alexander, Alfred, Barclay, Batts, Boggs, Bond, Briscoe, Chester, Crittenden, Davis, Delaperriere, Evans, Ferrill, Flewellen, Glover, Grice, Hill of Troup, Hines, Holt, Hood, Hyde, Ivey, Johnson of Clayton, Jones, Jordan, Lockhart, Maples, McGhee, McLeod, McRae, Morris, Paine, Poole, Quillian, Reid of Morgan, Reid of Taliaferro, Riley, Rashin, Seward, Shelton, Sheppard, Smith of Talbot, Summerour, Sweat, Tarver, Turner, Ward, Wells, Williams of Terrell, Wymie.

So the previous question was not sustained.

Mr. Hill, of Troup, offered the following as a substitute for the original resolutions and substitutes previously offered therefor:

WHEREAS, the great purposes of forming the Constitu-

tional Union of these States are correctly expressed in the following words, to-wit:

“In order to form a more perfect union, establish justice, insure domestic tranquility, provide for the common defense, promote the general welfare, and secure the blessings of liberty to ourselves and our posterity.”

And whereas, the progress of our Government, under the Constitution, has developed various differences between the sections of the Union, which materially interrupt the enjoyment of these contemplated blessings, and, unless arrested and reconciled, must inevitably defeat these ends of union, and destroy the Union itself, and thus bring reproach upon the great American experiment of self-government. Now, to the end of avoiding these calamities, and as an earnest that the State of Georgia is yet, as she ever has been, willing to fulfil in good faith all her obligations, according to their original true intent and meaning when she entered into the compact of union: the General Assembly of the State of Georgia do resolve,

1st. That the State of Georgia hereby expresses her willingness to co-operate with the other States of this confederacy in the adoption of such measures as may be necessary to remove all causes of dissatisfaction, and to secure to the people the blessings set forth in the preamble of the Constitution.

Resolved 2d. That, in the opinion of this State, whatever measures may be inaugurated to accomplish these ends must keep steadily and always in view the equality of the States, and equal protection in person and property of the citizens of each State, in the several States and Territories.

And whereas, the fifth article of the Constitution contains the following words, to-wit:

“The Congress, whenever two-thirds of both Houses shall deem it necessary, shall propose amendments to this Constitution, or, on the application of the legislatures of two-thirds of the several States, shall call a convention for proposing amendments; which, in either case, shall be valid to all intents and purposes, as part of this Constitution, when ratified by the legislatures of three-fourths of the several States, or by conventions in three-fourths thereof, as the one or the other mode of ratification may be proposed by the Congress.”

And whereas while in the judgment, and according to the understanding of the people of Georgia, the adoption of means necessary to secure a faithful observance and enforcement, of the constitutional provisions as they now exist *

would be sufficient for the purposes contemplated without amendments to the Constitution, yet as differences of construction have obtained, and the magnitude of the interest involved, requires that differences and doubts should not exist, if by any means they can be avoided, and whereas amendments to the Constitution may be deemed necessary to the more perfect accomplishment of the ends proposed, therefore the General Assembly of Georgia do further Resolve,

3d. That Georgia, willing to resort to all legal and proper methods of procuring a perfect Union as originally contemplated, and being unwilling that the responsibilities of a needless destruction of the Union should in any manner rest with her as one of the members thereto, hereby signifies her willingness, that Congress shall call a Convention of the States to propose amendments as prescribed by the said article of the Constitution.

And whereas the differences referred to, have operated and do continue to operate to the serious detriment of the citizens of the slave holding States in their persons and property, and to the disturbance of our peace, and whereas the olive branch which we now tender as an earnest of our desire to live in peace on terms of simple equality with all the States, may be rejected by the non-slaveholding States of this Union, and whereas this General Assembly have already unanimously declared that the evils existing, demand resistance, and a convention of the people has been called to fix upon the mode, measure, and time of that redress, and whereas our sister Southern States are taking similar initiatory steps to redress the same grievances, and as common courtesy would suggest as well as common evils and interests require that States contiguous in territory, homogenous in climate, people and production, and identical in their systems of labor, and the evils which invade, affect their systems of labor, should unite their councils, and concert measures of redress, agree to such amendments to the Constitution as they shall deem necessary, if any, to be submitted to the Convention of all the States, therefore we do further resolve,

4th. That this General Assembly will proceed to the election of Commissioners to each of the slave holding States of the Union, that the Commissioners so selected, are hereby instructed to visit the States to which they are respectively accredited, and in the name of the State of Georgia confer with said States through their conventions and legislatures or other proper authorities.

5th. That the said Commissioners be, and they are hereby authorized to confer with said States on behalf of Georgia on the basis of the following propositions :

1st. That Georgia is not willing longer, to tamely submit to evils, which are distracting the peace, destroying the property, and infringing the liberty of her citizens, that whether these evils spring from defects in the constitution or short comings in the administration of the government, or faithlessness on the part of Northern States, and, the, perverted sentiments of the Northern people, or all together the consequences to our people are the same, and redress is equally demanded.

2d. That Georgia is willing to remain a member of this Union observing in good faith all the duties imposed by that Union, provided all the benefits of that Union are extended to her according to the terms of the original compact, and equal good faith shall be observed by the other contracting parties to that Union. That to this end Georgia is willing to co-operate with all the States to provide efficient guarantees for the enforcement of the provisions of the present Constitution, or if deemed necessary, to remove doubts heal differences, and more effectually to secure the original purposes of our Union, she is willing to co-operate in providing amendments to the Constitution according to the modes provided by that instrument.

3d. That in the mean time, and without further delay the State of Georgia earnestly desires the council, and invokes the co-operation of her sister slave holding States, as to the mode and measure of that redress, which shall most effectually remove existing evils, and either in the Union or out of it, secure the blessings of liberty and peace to ourselves and our posterity.

4th. That to this end Georgia invites all her sister slave holding States by delegates duly chosen, in number equal the present representation of each in both branches of Congress, to meet in Convention in the city of Atlanta, on the 12th day of February next.

5th. That until this Convention shall assemble and deliberate, the State of Georgia most respectfully, but earnestly suggest to her sister slaveholding States, the propriety of forbearing final separate State action on the question involved.

And whereas Conventions have not been called in several of the slaveholding States as yet, and the legislatures do not meet within the proposed period of action. We do further resolve,

6th. That the General Assembly of Georgia do hereby request the proper authorities in such States to assemble the legislatures, or convene the people by delegate Conventions, to consider the matters herein respectfully suggested, and organize for representation in the proposed Convention of the slaveholding States.

7th. That His Excellency the Governor be and he is

hereby requested to forward without delay copies of the preambles and three first resolutions foregoing to each of our Senators and Representatives in Congress, and copies of all the foregoing preamble and resolutions to the Governors of the several non-slaveholding States.

Pending which the hour of adjournment having arrived, the President adjourned the Senate until 3 o'clock, P. M.

THREE O'CLOCK, P. M.

The Senate met according to adjournment, Hon. John Bilups, President *pro tem.*, in the Chair.

The Senate resumed the consideration of the unfinished business of the morning, which was certain resolutions relative to our Federal Relations.

Mr. Harris, of Worth moved that the original resolutions together with the substitutes be postponed indefinitely.

Upon agreeing to which motion the yeas and nays were recorded, and were yeas 58 nays 45.

Those who voted in the affirmative were Messrs.

Ashley, Barclay, Batts, Brown, Burnett, Byars, Cannon, Carter, of Echols, Carter, of Elbert, Collier, Cooper, Cone Cowen, Delaperriere, Denham, Fulton, Gartrell, Gaston, Glover, Green, Hackett, Hart, Harris, of Dougherty, Harris, of Worth, Harvin, Head, Hightower, Hitchcock, Jamison, Jordan, King, Lamar, Lawton, Lockhart, Lott, Maddox, McDuffie, Moore, of Laurens, Moore, of Whitfield, Oliver, Pruitt, Sawyer, Shelton, Shellnut Sirman, Snell, Spalding, Stowers, Sturges, Summerour, Tillman, Walker, Wellborn, Whitworth, Williams, of Berrien, Wilson, Wynne, Young.

Those who voted in the negative are Messrs.

Alexander, Alfred, Bond, Briscoe, Chester, Crittenden, Davis, Donaldson, Evans, Ferrill, Flewellen, Grice, Hill, of Troup, Hines, Holt, Hood, Hyde, Johnson, of Clayton, Jones, Maples, McGehee, McLeod, McRae, Morris, Paine, Poole, Quillian, Reid, of Morgan, Reid, of Taliaferro, Riley, Ritch, Roberts, Rushin, Seward, Sheppard, Smith, of Hancock, Smith, of Talbot, Sweat, Tarver, Turner, Ward, Wells, Whitehurst, Williams, of Rabun, Williams, of Terrell.

Yeas 58, nays 45. So the motion to postpone indefinitely prevailed.

Leave of absence was granted Mr. Seward for the balance of the session on account of special business.

Mr. Briscoe introduced a bill to alter and amend the several acts relative to the licensing of Physicians in this State, approved Dec. 24th, 1825, and Feb. 13th, 1854, and for other purposes, which was read the first time; also,

A bill to authorize A. Wallace Starke, of the State of Alabama to act as administrator on the estate of George W. Harrison, deceased, late of the county of Baldwin, and for other purposes, which was read the first time.

The Senate took up as the report of the committee of the whole, a bill to repeal so much of an act entitled an act to compel persons, non-residents of the counties of Wayne, Irwin, and Wilcox, owning, penning and grazing stock cattle in said counties to return, and pay taxes on the same in said counties, so far as requires non-residents to pay an extra tax in the county of Wilcox, and for other purposes.

The report was agreed to. The bill was read the third time and passed.

Mr. McGehee, chairman of a Special Committee, made the following report, to-wit:

The committee to whom was referred a bill to furnish money to the Medical College of Georgia, for the purpose of educating and graduating certain young men in Georgia, and for other purposes, have had the same under consideration, and return it to the Senate with the recommendation that it do pass.

The Senate took up as the report of the Committee of the whole, a bill to compel all persons having temporary residences in the county of Emanuel to give in and pay tax on all the property owned by them in said county.

Mr. McLeod moved to amend the report by the following bill as a substitute in lieu of the original bill, to-wit:

A bill to compel non-residents of the county of Emanuel owning stock cattle in said county, to pay taxes for the same in said county; which was agreed to.

The report as amended was agreed to, the bill was read the third time and passed.

The following message was received from the House of Representatives, by Mr. Hillyer, their Clerk:

Mr. President:—The House of Representatives have passed the following bill of the Senate with amendments thereto, in which they ask the concurrence of the Senate.

A bill to incorporate the town of Valdosta; which I

am directed to transmit forthwith to this branch of the General Assembly.

On motion the Senate adjourned until 9½ o'clock to-morrow morning.

WEDNESDAY, DECEMBER 5TH, 1860. }

9½ O'CLOCK, A. M. }

Senate met according to adjournment, Hon. John Bilhps, President *pro tem.*, in the Chair, and was opened with prayer by the Rev. Mr. Flynn.

Leave of absence was granted Messrs. McLeod and Ward for a few days on special business.

Leave of absence was granted the Committee on the Lunatic Asylum for this day.

Mr. Jones moved to reconsider so much of the Journal of yesterday as relates to the vote by which a bill to regulate the admission of evidence was passed; which was lost.

Mr. Evans moved to reconsider so much of the Journal of yesterday as relates to the vote by which certain resolutions relative to our Federal Relations were indefinitely postponed; which was lost.

The following Message was received from the House of Representatives, by Mr. Hillver, their Clerk:

Mr. President: The House of Representatives have passed the following bills of the Senate:

A bill to incorporate the Union Loan and Building Association, in the city of Atlanta.

A bill to prevent and punish Camp Hunting in Burke county by non-residents.

A bill to add the county of Chattahoochee to the Chattahoochee Circuit.

A bill to authorize the legal representatives of Intestates and Testators of other States to sue in this State.

A bill to change the law in relation to taking depositions in Justices Courts, and for other purposes.

A bill to alter the times of holding the elections of Receivers of Tax Returns and Tax Collectors in this State, to prescribe the mode in which they shall give bond, and the mode in which the offices of Receiver of Tax Returns may be declared vacant.

A bill to incorporate the Alabama Planters' Steamboat Company.

A bill to lay out and incorporate the Dawson Turnpike Road Company

A bill to amend an act entitled an act to authorize the Thomaston and Barnesville Railroad company to construct and extend their Railroad to some point on the Railroad of the Muscogee Railroad company, and to authorize and empower the Muscogee Railroad company, by and with the consent of the Thomaston and Barnesville company being first obtained thereto, to extend their Railroad from some convenient point on said Muscogee Railroad to Thomaston, in Upson county, and for other purposes therein mentioned, and also to incorporate the Middle Georgia Railroad Company, assented to on the 19th day of December, 1859, so far as said act relates to the Middle Georgia Railroad company.

A bill to compensate the officers and freeholders for their services in holding the general elections and county officers, and Petit Jurors in the county of Emanuel.

A bill to ratify and make valid the ordinances and resolutions of the Mayor and Council of the city of Columbus in reference to any subscription heretofore made, or which may hereafter be made by said Mayor and Council to the stock of the Opelika and Talledega Railroad company.

A bill to change the line between the counties of Pierce and Wayne, so as to include the balance of lot of land whereon Russell Rawlinson now lives in Pierce county.

A bill to authorize the Inferior Court of Baldwin county, to subscribe for stock in the Milledgeville Railroad company, to levy and collect a special tax, and issue bonds for the payment of said stock.

The House of Representatives have passed the following bills of the Senate, with amendments thereto, in which they ask the concurrence of this branch of the General Assembly :

A bill to exempt from Jury duty all practicing physicians in the county of Emanuel.

A bill to legalize and make valid the several sessions of Chattahoochee and Quitman Superior Courts of the Pataula Circuit.

A bill to authorize the counties of Walker and Chattooga to aid in the construction of the Coosa and Chattooga River Railroad, and to issue bonds therefor, by a vote of a majority of the citizens of said county.

The House of Representatives have also passed the following bills of the House :

A bill to pay James H. Estes a sum of money lost by him by reason of an error in the records of the State of Georgia.

A bill to change the line between the counties of Merriwether and Talbot, and Appling and Ware.

A bill to appropriate money for the erection of a Turnpike and Bridge across the Allapaha river, near Irwinnville, on the road from Jacksonville, Telfair county, to the city of Albany, in Dougherty county, and to build a Bridge and Turnpike across Spring Creek, in Miller county, and for other purposes.

Mr. Fulton, chairman of the Committee on Public Education and Free Schools, made the following report, to-wit:

The Committee on Public Education and Free Schools, to whom was referred a bill to provide for the distribution of the educational fund in each district, and for other purposes, report it back with a substitute, and recommend the substitute do pass in lieu of the original bill.

Mr. McGehee, from the Committee on Agriculture, made the following report, to-wit:

The Committee on Agriculture, to whom was referred a bill to be entitled an act to confer certain privileges therein named, on the Cotton Planters Association of Georgia, has had the same under consideration, and report the same back to the Senate, with the recommendation that it do pass.—Also,

A bill to be entitled an act to amend an act to regulate the freight of Lime on the Western and Atlantic Railroad, so as to require said Railroad to transport Lime for Agricultural purposes in bulk, and recommend its passage.

Mr. Spalding moved to suspend the rule for the purpose of introducing a bill; which was agreed to.

Mr. Spalding introduced a bill for establishing the office of Adjutant and Inspector General of the State of Georgia; which was read the first time.

On motion of Mr. Collier the rules were suspended, and the Senate took up the following resolution previously offered by him:

Resolved, by the Senate and House of Representatives of the State of Georgia, That the present General Assembly will adjourn *sine die* on Wednesday the 12th day of December, 1860.

Mr. Collier moved to amend the resolution by striking out the words "Wednesday, the 12th," and inserting in lieu thereof, the words "Friday, the 14th;" which was agreed to.

Mr. Johnson, of Clayton, moved that the resolution, with its amendment, be laid on the table for the balance of the session.

Upon agreeing to which motion, Mr. Collier required the

years and days, which being recorded, were years 53, and days 47

Those who voted in the affirmative are Messrs :

Atkinson, Barclay, Batts, Boggs, Briscoe, Brown, Cannon, Carter of Elbert, Chester, Cooper, Cook, Cone, Cowen, Denham, Duncan, Evans, Ferrill, Fulton, Gaston, Grice, Hackett, Harris of Worth, Hill of Troup, Holt, Hyde, Johnson of Clayton, King, Lamar, Lawton, Lott, Maples, McDuffie, Moore of Laurens, Oliver, Paine, Pruitt, Quillian, Reid of Morgan, Reid of Taliaferro, Riley, Ritch, Rushin, Sawyer, Shelton, Shellnut, Sheppard, Spalding, Stowers, Summerour, Tarver, Tracy, Wells, Whitworth, Young.

Those who voted in the negative are Messrs. :

Allred, Ashley, Bond, Byars, Carter of Echols, Collier, Crittenden, Davison, Flewellen, Gartrell, Glover, Green, Hart, Harris of Dougherty, Harvin, Head, Hightower, Hill of Wilkes, Hines, Hitchcock, Hood, Ivey, Jamison, Jones, Jordan, Lockhart, Maddox, McGehee, McRae, Morris, Poole, Sirman, Smith of Hancock, Smith of Talbot, Snell, Sturges, Sweat, Tillman, Turner, Walker, Whitehurst, Williams of Berrien, Williams of Rabun, Williams of Terrell, Wilson, Wynne.

So the motion to lay on the table for the balance of the session prevailed.

On motion the rules were suspended, and the Senate took up the following bill of the Senate, which had been amended in the House of Representatives, to-wit :

A bill to incorporate the town of Valdosta.

On motion the amendment was concurred in.

The Senate took up the following bill of Senate, which had been amended in the House of Representatives, to-wit :

A bill to authorize the counties of Walker and Chattooga to aid in the construction of the Coosa and Chattooga River Railroad, and for other purposes.

On motion the amendment was concurred in.

The Senate took the following bill of the Senate, which had been amended in the House of Representatives, to-wit :

A bill to exempt from jury duty, all Practicing Physicians in the county of Emanuel.

On motion the amendment was concurred in.

The Senate took up the following bill of the Senate, which had been amended in the House of Representatives, to-wit :

A bill to legalize and make valid the several sessions of

Chattahoochee and Quitman Superior Courts of the Pataula Circuit.

On motion the amendment was concurred in.

Mr. Fulton offered the following resolution, which was read :

Resolved, That our Senators and Representatives in Congress, be requested to propose a plan to the Congress of the United States, for the appointment of Commissioners on the part of the North, and Commissioners on the part of the South, to provide for a peaceable dissolution of the Union, and for an equitable division of the public property between the two sections.

Resolved, That a copy of these resolutions be forwarded by His Excellency the Governor of Georgia, to each of our Senators and Representatives in Congress, and to each of the Governors of the States composing the Confederacy.

Mr. Lawton, Chairman of the Committee on the Judiciary made the following report :

The Committee on the Judiciary beg leave to report, that they have had the following bills, which were referred by the Senate, under consideration, to-wit :

A bill to be entitled an act to authorize a general suspension of the collection by law of any and all judgments, executions, or other evidences of debt, for the space of twelve months, and for other purposes herein mentioned, and they recommend that the same do not pass ; also,

A bill to be entitled an act, to aid in carrying out the Bastardy laws of this State, and for other purposes therein mentioned ; and they recommend that the same do not pass ; also,

A bill to be entitled an act, to repeal so much of the 3d section of an act, approved December 5th, 1806, as prevents the offending party in cases of absolute divorce from marrying, and to amend the same ; and they recommend that the same do pass ; also,

A bill to be entitled an act, to change the name of Jane Bennett Eids, to that of Jane Davis Bennett.

The Legislature having no power under the Constitution to change names, the Committee report adversely to the passage of the bill ; also,

A bill to be entitled an act, to an additional section to the 13th division of the Penal Code, making it penal to sell to, or furnish slaves or free persons of color weapons of offence or defence, and for other purposes therein mentioned ; and they recommend that this bill do pass with an amendment ; also,

A bill to be entitled an act, to authorize the Clerks of the

Superior and Inferior Courts, and Justices of the Peace of this State, to issue *ca sas*, in certain cases, without filing an affidavit as now required by law, and for other purposes therein mentioned; and they recommend that this bill lie on the table for the balance of the session; also,

A bill to be entitled an act to incorporate the American Agency Company; and they recommend that the same do not pass; also,

A bill to be entitled an act, to authorize Executors, Guardians, Trustees and other persons having charge of the property of minors, to keep and work the same together in certain cases; and they report this back to the Senate, with a substitute, and recommend that the substitute do pass; also,

A bill to be entitled an act, to amend the third and seventh sections of the first article of the Constitution of this State; and they report the same back with a substitute, and recommend that the substitute do pass; also,

A bill to be entitled an act, to incorporate the Home Loan Association, the Peoples Mutual Loan Association of Augusta, and for other purposes therein mentioned, and they report this back with amenduents, and recommend that the same do pass; also,

A bill to be entitled an act, to repeal any and all laws making it penal the carrying of concealed weapons, and they recommend that the same do not pass; also,

A bill to be entitled an act to authorize Executors and Trustees to invest money of married women and children in land and negroes; and they recommend that this bill do pass.

A. R. LAWTON,
Chairman.

On motion, the rules were suspended, and the Senate took up the following resolution of the House of Representatives:

Resolved, By the Senate and House of Representatives, That his Excellency the Governor be requested to furnish the officers of the various volunteer companies of this State with such side and other arms as may be necessary for their complete equipment.

On motion, the same was concurred in.

Mr. Harris, of Worth, moved that the Senate accept the invitation of the Cotton Planters' Convention to visit the same, on Tuesday next.

Upon agreeing to which motion, the yeas and nays were recorded, and were, yeas, 70; nays, 27

Those who voted in the affirmative are Messrs.

Alexander, Ashley, Atkinson, Barclay, Boggs, Briscoe, Brown, Byars, Cannon, Carter of Echols, Carter of Elbert, Chester, Cooper, Cook, Cowen, Crittenden, Davison, Evans, Ferrill, Flewellen, Fulton, Gartrell, Gaston, Green, Grice, Hackett, Hart, Harris of Worth, Harvin, Head, Hightower, Hines, Holt, Hood, Jamison, Jordan, King, Lamar, Lawton, Lockhart, McDuffie, McGehee, McRae, Moore of Laurens, Morris, Paine, Poole, Pruitt, Reid of Morgan, Reid of Taliaferro, Roberts, Rushin, Sawyer, Seward, Shelton, Sheppard, Smith of Hancock, Smith of Talbot, Snell, Spalding, Sturges, Summerour, Tarver, Tillman, Turner, Tracy, Wells, Whitehurst, Williams of Berrien, Wilson.

Those who voted in the negative, are Messrs.

Allred, Batts, Bond, Collier, Donaldson, Glover, Harris of Dougherty, Hill of Wilkes, Hitchcock, Hyde, Ivey, Jones, Lott, Maddox, Maples, Oliver, Riley, Ritch, Shellnut, Sirman, Sweat, Walker, Whitworth, Williams of Rabun, Williams of Terrell, Wynne, Young.

So the motion prevailed.

On motion of Mr. Spalding, the rules were suspended, and the following resolution, previously offered, was taken up and agreed to:

Resolved, By the Senate and House of Representatives in General Assembly met, That the Governor be required to purchase, of the manufacturers, two hundred and fifty Maynard rifles, twenty-six inch barrels, and seven hundred and fifty Maynard carbines, twenty inch barrels, with the necessary implements to said guns, for the defense of the coast of Georgia, out of the one million dollars appropriated for the defense of the State.

The Senate took up, as the report of the Committee of the Whole, a bill to incorporate the Georgia Insurance Company.

The report was agreed to. The bill was read the third time and passed.

The Senate took up, as the report of the Committee of the Whole, a bill to amend an Act entitled An Act to authorize the Judges of the Superior Courts to appoint receivers during vacation, and for other purposes.

On motion, the same was referred to the Committee on the Judiciary

The Senate took up, as the report of the Committee of the Whole, a bill to authorize executors and trustees to invest money of married women and children in land and negroes.

The report was agreed to, the bill was read the third time and passed.

The Senate took up as the report of the committee of the whole, a bill to authorize executors, administrators, guardians, trustees, and other persons having charge of the property of minors, to keep and work the same together, in certain cases.

The Committee on the Judiciary, to whom this bill was referred, offered the following bill as a substitute in lieu of the original bill, to-wit:

A bill to point out the method of distributing negroes, in certain cases therein mentioned; which was agreed to.

The report as amended was agreed to, the bill was read the third time, and passed.

Mr. Tracy moved to suspend the rules, for the purpose of introducing a bill; which was agreed to.

Mr. Tracy introduced a bill to consolidate the offices of Clerk of the Superior Court, Clerk of the Inferior Court and Ordinary, in the county of Crawford, and to legalize the actings and doings of James J. Ray, as Ordinary for said county; which was read the first time.

Mr. Harris, of Dougherty, offered the following resolution, which was taken up, read and agreed to:

Resolved, That the Secretary of the Senate be authorized to appoint eight additional enrolling clerks, and two additional engrossing clerks.

The Senate took up as the report of the committee of the whole, a bill to abolish the usury law now of force in this State, so far as relates to promises in writing, when the rate of interest is expressed in the written promise to pay.

Mr. Smith, of Talbot, moved to amend the report, by adding a proviso to said bill.

Pending the consideration of which, the hour of adjournment having arrived, the President adjourned the Senate until 3 o'clock, P M.

THREE O'CLOCK, P M.

Senate met according to adjournment, Hon. John Billups, President, *pro. tem.* in the chair.

The Senate resumed the consideration of the unfinished business of the morning, which was the amendment of the report of a bill to abolish the usury law now of force in this

State, so far as relates to promises in writing, when the rate of interest is expressed in the written promise to pay.

The report as amended was agreed to.

Mr. Allred moved to postpone the bill indefinitely.

Upon agreeing to which report, the yeas and nays were recorded, and were yeas 41, nays 44.

Those who voted in the affirmative are Messrs.:

Allred, Atkinson, Batts, Brown, Byars, Cannon, Carter of Echols, Chester, Cooper, Davis, Denham, Green, Grice, Hackett, Harris of Worth, Head, Hightower, Hyde, Ivey, Jamison, Jones, King, Lockhart, Maples, Moore of Whitfield, Poole, Pruitt, Quillian, Reid of Taliaferro, Ritch, Snell, Sweat, Turner, Tracy, Walker, Whitworth, Williams of Berrien, Williams of Rabun, Wilson, Wynne, Young.

Those who voted in the negative are Messrs.

Ashley, Barclay, Barrow, Bond, Carter of Elbert, Cloud, Collier, Cook, Cowen, Davison, Donaldson, Duncan, Evans, Ferrill, Fulton, Gaston, Glover, Harvin, Hill of Wilkes, Hitchcock, Holt, Hood, Jordan, Lamar, Lott, McRae, Morris, Oliver, Printup, Reid of Morgan, Riley, Rushin, Shellnut, Sirman, Smith of Hancock, Smith of Talbot, Spalding, Sturges, Tarver, Tillman, Wallace, Wells, Whitehurst, Williams of Terrell.

So the motion to postpone indefinitely did not prevail.

Upon the question, "shall this bill now pass?" the yeas and nays were recorded, and were, yeas, 17; nays, 51.

Those who voted in the affirmative are Messrs.

Ashley, Barclay, Barrow, Carter of Elbert, Cloud, Collier, Cook, Cowen, Davison, Duncan, Evans, Ferrill, Fulton, Glover, Harvin, Hill of Troup, Hitchcock, Holt, Hood, Jordan, King, Lamar, Lawton, McDuffie, McRae, Moore of Laurens, Morris, Oliver, Paine, Printup, Reid of Morgan, Riley, Roberts, Rushin, Shelton, Shellnut, Sheppard, Sirman, Smith of Hancock, Smith of Talbot, Sturges, Tarver, Tillman, Wallace, Wells, Whitehurst, Williams of Terrell.

Those who voted in the negative are Messrs.

Alexander, Allred, Atkinson, Batts, Bond, Briscoe, Brown, Byars, Cannon, Carter of Echols, Chester, Cooper, Crittenden, Davis, Denham, Donaldson, Flewellen, Gaston, Green, Grice, Hackett, Harris of Worth, Head, Hightower, Hill of Wilkes, Hyde, Ivey, Jamison, Jones, Lockhart, Lott, Maddox, Maples, McGehee, Moore of Whitfield, Poole, Pruitt, Quillian, Reid of Taliaferro, Ritch, Snell, Sweat, Turner, Tracy, Walker, Whitworth, Williams of Berrien, Williams of Rabun, Wilson, Wynne, Young.

So the bill was lost.

The Senate took up, as the report of the Committee of the whole, the following bill of the House of Representatives:

A bill to confer additional powers upon the Justices of the Inferior Courts of the several counties of this State and for other purposes therein mentioned.

The report was agreed to, the bill was read the third time and passed.

The Senate took up, as the report of the Committee of the whole, the following bill of the House of Representatives:

A bill for the relief of the children of Littleberry James, deceased.

The report was agreed to. The bill was read the third time and passed.

The following message was received from the House of Representatives, by Mr. Hillyer, their Clerk:

Mr. President—The House of Representatives have passed a bill to be entitled an act to provide for raising a revenue for the political year 1861, and to appropriate money for the support of the government, during said year, and to make certain special appropriations, and for other purposes therein named, which I am directed to transmit forthwith to this branch of the General Assembly

The Senate took up, as the report of the Committee of the whole, the following bill of the House of Representatives:

A bill for the relief of Sterling S. Jenkins.

The report was agreed to. The bill was read the third time and passed.

The Senate took up, as the report of the Committee of the whole, the following bill of the House of Representatives:

A bill to incorporate the Second Baptist Church, Kollock Street, Augusta, Georgia, and for other purposes.

Mr. Briscoe moved to amend the report by adding additional sections, incorporating Pleasant Grove Church in the county of Baldwin, which was agreed to.

The report as amended was agreed to, the bill was read the third time, and passed.

The Senate took up, as the report of the Committee of the whole, the following bill of the House of Representatives:

A bill to incorporate the Home Loan Association, and the People's Mutual Loan Association of Augusta, and for other purposes therein mentioned.

The Committee on the Judiciary, to whom this bill was

referred, moved to amend the report, by striking out the word "People's," in the caption, and 1st section at the proper place, and inserting in lieu thereof the word, "Augusta," and after the word "hereby," in the first section, insert the word "respectively," and inserting in the first section after the word "then" and before the word "with" the word "severally," and by inserting in the first section after the word "Association" and before the words "to sue" the word "respectively," which was agreed to.

The report as amended was agreed to. The bill was read the third time, and passed.

The Senate took up, as the report of the Committee of the whole, the following bill of the House of Representatives:

A bill for the relief of George W Reeves, of Pike county.

The report was agreed to, the bill was read the third time, and passed.

The Senate took up, as the report of the Committee of the whole the following bill of the House of Representatives:

A bill to change the line between the counties of Calhoun and Baker.

The report was agreed to. The bill was read the third time and passed.

The Senate took up, as the report of the Committee of the Whole, the following bill of the House of Representatives:

A bill to explain the act to change the times of holding the elections for county officers, Judges of the Superior Courts, Attorney and Solicitors General, (except the Ordinaries) in this State, assented to Dec. 16th 1859.

On motion, the same was indefinitely postponed.

The Senate took up, as the report of the Committee of the Whole, the following bill of the House of Representatives:

A bill to furnish money to the Medical College of Georgia for the purpose of educating and graduating certain young men in Georgia, and for other purposes.

Mr. Oliver moved to amend the report by striking out the word "ten" and inserting the word "five" in lieu thereof.

Upon agreeing to which motion, Mr. Oliver required the yeas and nays, which being recorded, were yeas 26, nays 67.

Those who voted in the affirmative, were Messrs.

Carter of Echols, Chester, Cloud, Denham, Donaldson,

Jewellen, Glover, Greene, Hitchcock, Jones, Maples, Mcrae, Oliver, Poole, Ritch, Shellnut, Sirman, Sweat, Tarver, Tillman, Turner, Walker, Whitehurst, Whitworth, Williams of Berrien.

Those who voted in the negative are Messrs.

Alexander, Allred, Ashley, Barclay, Barrow, Briscoe, Brown, Byars, Cannon, Carter of Elbert, Collier, Cooper, Cook, Crittenden, Davison, Davis, Duncan, Evans, Ferrill, Fulton, Grice, Hackett, Hart, Harris of Dougherty, Harris, of Worth, Harvin, Head, Hill, of Troup, Hill, of Wilkes, Hyde, Ivey, Jamison, Jordan, King, Lamar, Lawton, Lockhart, Lott, McDuffie, McGehee, Moore, of Laurens, Moore, of Whitfield, Morris, Paine, Printup, Pruitt, Quillian, Reid, of Morgan, Reid of Taliaferro, Riley, Roberts, Sawyer, Shelton, Sheppard, Smith of Hancock, Smith of Talbot, Spalding, Sturges, Summerour, Tracy, Wallace, Wellborn, Williams of Rabun, Williams, of Terrell, Wilson, Wynne, Young.

Yeas 26, nays 67. So the motion to strike out and insert did not prevail.

The report was agreed to, and upon the question, "shall this bill now pass?" Mr. Oliver required the yeas and nays which being recorded, were yeas 69, nays 29.

Those who voted in the affirmative, were Messrs.

Alexander, Allred, Ashley, Atkinson, Barclay, Barrows, Brown, Briscoe, Brown, Byars, Cannon, Carter, of Elbert, Hester, Collier, Cooper, Cook, Cone, Crittenden, Davison, Davis, Duncan, Evans, Ferrill, Fulton, Grice, Hackett, Hart, Harris, of Dougherty, Harris, of Worth, Harvin, Head, Hightower, Hill, of Troup, Hyde, Jamison, Jones, Jordan, King, Lawton, Lockhart, Lott, McDuffie, McGehee, Moore, of Laurens, Moore, of Whitfield, Morris, Paine, Printup, Pruitt, Quillian, Reid, of Morgan, Reid, of Taliaferro, Riley, Roberts, Rushin, Sawyer, Shelton, Smith of Hancock, Smith of Talbot, Snell, Spalding, Summerour, Tracy, Wallace, Wellborn, Whitworth, Williams, of Rabun, Wilson, Young.

Those who voted in the negative, are Messrs.

Batts, Carter, of Echols, Cloud, Cowen, Denham, Donaldson, Glover, Green, Hill of Wilkes, Hitchcock, Hood, Ivey, Lamar, Maples, McRae, Oliver, Poole, Ritch, Sirman, Sturges, Sweat, Tarver, Tillman, Turner, Walker, Whitehurst, Williams of Berrien, Williams, of Terrell, Wynne.

Yeas 69, nays 29. So the bill was passed.

The following message was received from His Excellency the Governor, by Mr Waters, his Secretary, to-wit:

Mr. President: I am directed by His Excellency, the Governor, to deliver to the Senate a copy of a letter from Hon. R. R. Cuyler, with a communication relating thereto.

Leave of absence was granted Mr. Head, for a few days on special business.

On motion of Mr. Harris, of Worth, the following communication in writing, from His Excellency the Governor was taken up and read.

EXECUTIVE DEPARTMENT, }
MILLEDGEVILLE, GA., Dec. 5th, 1860. }

To the General Assembly :

I have the honor to communicate herewith, a copy of a letter of Hon. R. R. Cuyler, President of the C. R. R. Co., tendering to the Governor, the General Assembly and the State House officers free passage over the Railroad to Macon and back on such day as it may be convenient for the General Assembly to attend the Fair of the Cotton Planters Association.

I respectfully recommend that the invitation be accepted; and that a *day* and *hour* be designated, when it will be convenient for the General Assembly to go to, and return from the Fair.

JOSEPH E. BROWN.

CENTRAL RAILROAD AND BANKING COMPANY OF GEORGIA, }
Savannah, Ga., Dec. 4th 1860. }

His Excellency, JOSEPH E. BROWN, Governor :

Dear Sir:—The pending Fair at Macon, presents an occasion of deep interest to the people of Georgia; I have been directed by a unanimous vote of the Board of this Company, to extend to your Excellency, the State House Officers, the Senate and House of Representatives, an invitation to take a free passage to Macon, and back to Milledgeville, to attend the Fair. It will give me great pleasure to attend personally to this direction of the Board. Will your Excellency do me the honor of presenting this invitation and communicating to me the day, or days, when it will be convenient to yourself, the officers and members of the General Assembly, to go and return.

I have the honor, to be

Your obedient,

R. R. CUYLER,

President.

On motion of Mr. King the communication from His Excellency the Governor, was referred to a Special Committee of three.

In pursuance of which the President appointed Messrs. King, Holt and Tracy, as said committee.

The committee to whom was referred the communication of His Excellency the Governor, offered the following resolution which agreed to.

Resolved, That the thanks of the Senate and House of Representatives be tendered to the Hon. R. R. Cuyler President of the Central Railroad and Banking Company, and to the Board of Directors of said Company, for their courteous and liberal offer of conveyance of the members, and officers of both Houses of the General Assembly to attend the exhibition at Macon, and that the invitation be accepted for Tuesday next. The hour of leaving Milledgeville has been fixed at 7 o'clock, A. M., and Macon at 9, P. M.

Resolved. That a copy of this resolution be transmitted by the President of the Senate to the Hon. R. R. Cuyler.

The hour of adjournment having arrived the President adjourned the Senate until 9½ o'clock, to-morrow morning.

THURSDAY, DECEMBER 6TH, 1860. {

9½ O'CLOCK A. M. }

Senate met according to adjournment, and was opened with prayer by Rev. Mr. Curtis.

Mr. Jordan moved to reconsider so much of the Journal of yesterday, as relates to the vote by which a bill to abolish the usury law now of force in this State, so far as relates to promises in writing, when the rate of interest is expressed in the written promise to pay was lost.

Mr. Johnson of Clayton, moved the previous question, which being seconded, the main question was ordered to be put, which was the motion to reconsider, upon agreeing to which motion Mr. Holt required the yeas and nays, which being recorded, were yeas 51, nays 57

Those who voted in the affirmative were Messrs.

Alexander, Barclay, Bartlett, Briscoe, Burnett, Carter of Elbert, Cloud, Collier, Cook, Cowen, Davison, Evans, Ferrill, Fulton, Glover, Harris of Dougherty, Harvin, Hill

of Troup, Hitchcock, Holt, Hood, Johnsons of Clayton, Jordan, King, Lamar, Lawton, Merrill, McDuffie, McRae, Moore of Laurens, Morris, Oliver, Paine, Printup, Reid of Morgan, Riley, Roberts, Rushin, Shelton, Shellnut, Sheppard, Sirman, Smith of Hancock, Smith of Talbot Summerour, Tarver, Wallace, Wellborn, Wells, Whitehurst, Williams of Terrell.

Those who voted in the negative are Messrs.

Allred, Atkinson, Barrow, Batts, Billups, Boggs, Brown, Byars, Caunon, Carter of Echols, Chester, Cooper, Cone, Crittenden, Davis, Delaperriere, Denham, Donaldson, Duncan, Flewellen, Gaston, Green, Grice, Hackett, Hart, Harris of Worth, Hightower, Hill of Willkes, Hines, Hyde, Ivey, Jamison, Jones, Lockhart, Lott, Maddox, Maples, McGeehee, Moore of Whitfield, Poole, Quillian, Reid of Taliaferro, Ritch, Sawyer, Snell, Sturges, Sweat, Turner, Usry, Walker, Ward, Whitworth, Williams of Berrien, Williams of Rabun, Wilson, Wynne, Young.

So the motion to reconsider did not prevail.

Mr. Harris, of Dougherty, from the Committee on Enrollment, reported, as duly enrolled and ready for the signature of the President of the Senate,

An Act to ratify and make valid the ordinances and resolutions of the Mayor and Council of the city of Columbus, in reference to any subscription heretofore made, or which may hereafter be made by said Mayor and Council, to the stock of the Opelika & Talladega Rail Road Company; also,

An Act to prevent and punish camp-hunting, in Burke county, by non-residents; also,

An Act to incorporate the Alabama Planters' Steamboat Company; also,

An Act to change the line between the counties of Pierce and Wayne, so as to include the balance of lot of land where Russel Rawlerson now lives, in Pierce county; also,

An Act to authorize the legal representatives of intestates and testators of other States to sue in this State; also,

An Act to add the county of Chattahoochee to the Chattahoochee Circuit; also,

An Act to compensate officers and freeholders for their services, for holding the general elections and county elections, and petit-jurors, in the county of Emanuel; also,

An Act to lay out and incorporate the Dawson Turnpike Company; also,

An Act to change the law in regard to taking depositions in Justices' Courts, and for other purposes; also,

An Act to incorporate the Union Loan and Building Association in the city of Atlanta; also,

An Act to amend an Act entitled An Act to authorize

the Thomaston & Barnesville Rail Road Company to construct and extend their railroad to some point on the railroad of the Muscogee Rail Road Company, and to authorize and empower the Muscogee Rail Road Company, by and with the consent of the Thomaston & Barnesville Rail Road Company being first had thereto, to extend their railroad from some convenient point on the said Muscogee Rail Road to Thomaston, in Upson county, and for other purposes therein mentioned; and also to incorporate the Middle Georgia Rail Road Company.—assented to on the 19th day of December, 1859,—so far as said Act relates to the Middle Georgia Rail Road; also,

An Act to alter the time of holding the elections of Receivers of Tax Returns, and Tax Collectors, in this State, to prescribe the mode in which they shall give bond, and the mode in which the office of Receiver of Tax Returns may be declared vacant; also,

An Act to authorize the Inferior Court of Baldwin county to subscribe for stock in the Milledgeville Rail Road Company, to levy and collect a special tax, and issue bonds for the payment of said stock.

Mr. Sturges moved to reconsider so much of the journal of yesterday as relates to the vote by which a bill of the House of Representatives, to confer additional powers upon the Justices of the Inferior Courts of the several counties of this State, and for other purposes therein mentioned, was passed; which was agreed to.

On motion the same was referred to the committee on new counties and county lines.

On motion of Mr. Printup the rules were suspended, and the Senate took up the following bill of the House of Representatives; which was read the first time.

A bill to provide for raising a revenue for the political year 1861, and to appropriate money for the support of Government during said year, and to make certain special appropriations and for other purposes therein named.

The following message was received from the House of Representatives, by Mr. Hillyer, their Clerk.

Mr. President: The House of Representatives have passed the following bills,

A bill for the publication of the Code of the State of Georgia, to point out the mode of doing the same, to fix the price and to authorize the Governor to purchase five thousand copies of the same, for the use of the State and for other purposes.

The House of Representatives have also passed the following bills of the Senate.

A bill for the relief of James Parker of Marion county.

A bill to relieve and discharge J. M. Bivins, Van Marcus, and R. L. Mott, from all liability as securities on the bond of Edward P. Holmes, given on the 12th of April 1860, for his appearance at the May term 1860, of Muscogee Superior Court.

The House of Representatives have also passed the following bill:

A bill to pardon William A Choice, of the county of Fulton, now under sentence of death for the crime of murder, and to place him in the Lunatic Asylum, which I am directed to transmit forthwith to this branch of the General Assembly.

Mr. Briscoe, Chairman of the Committee on the Penitentiary, made the following report.

The Joint Committee of the Senate and House of Representatives, on the Penitentiary, beg leave to report as follows :

Owing to the recent resignation of Gen. Eli McConnell, late Principal Keeper of the Penitentiary, who from continued sickness, was prevented from making the regular annual report, as also, the illness of the book keeper, your Committee have been somewhat delayed in making their general report. They have, however, made as full an examination as the circumstances would authorize, and are gratified to report that since the last session of the Legislature there has been a marked and decided improvement in the main features of the Institution. Whilst some of your Committee doubt the practicability of making such an Institution uniformly self-sustaining, even when managed to the best advantage, all admit that for general appearances the Penitentiary is now in a condition more likely than heretofore, to accomplish that result, and at the same time subserve the ends of penal justice. During the past year the old workshop which was not only in a state of dilapidation, but miserably contrived for any serviceable purpose has been entirely removed. This leaves a considerable open area in the midst of the most important buildings in which the movements of every passing convict may be observed. This improvement is of much importance, as it will diminish the chances of escape, as well as the opportunities for skulking and idling on the part of convicts. A large and commodious blacksmith shop, made of brick, has also been constructed, which will, no doubt, prove a valuable addition to the Institution. The other buildings, consisting of a large brick workshop and a house to be used as a hospital, chapel and eating apartment, are now fully completed and in constant use. All these improvements seem to have been well devised and constructed, and will prove of much

practical utility. The additional cell buildings, erected on the walls of the old cell building, constitute the most important feature of improvement. There are now 300 cells and about 240 convicts, and we are advised by those capable of forming a judgment, that for strength and security, there is no comparison between the old and the present building, the latter having vastly the advantage. In their report at the last session your Committee urged the recommencement of the tanning business. They are gratified to perceive that the recommendation has been adopted, and still adhere to the opinion that with proper management this, in connection with the manufacture of shoes, may be made the most profitable department of industry connected with the Institution. Above all, your Committee are pleased to see a better discipline than has heretofore existed. The new arrangements authorize a more rigid discipline, and it is undeniable that unless the Penitentiary is made a place of punishment by hard labor, unless it becomes a terror to evil doers the whole system is a failure, and should be at once abandoned. From present indications we have reason to believe that as each convict leaves its walls he will be enabled by experience, to spread the news that the convicted malefactors of the State, who reach the Penitentiary at Milledgeville, will have to pay the *full* penalty of the violated law. In view of the various improvements herein noticed the large appropriations made in the past, which would be a dead loss in case of a removal of the Institution, especially in view of the heavy expenditures which would be required for such removal. And the growing distrust in the popular mind of the policy of such a system, your Committee have been constrained to report with great unanimity adversely to the passage of a bill looking to the removal of the present Penitentiary, or the building of an additional one at some other place. We might add, looking to the distracted condition of our monetary affairs, and the heavy demands already made upon the Treasury, that such a movement should not meet with any degree of favor. The Committee have had under consideration the recommendation of the Governor in his Annual Message, that \$20,000 be appropriated to be expended in an extension of the outside wall. Such an extension is very desirable, but a majority of your Committee do not consider this improvement of such pressing importance as to justify an immediate appropriation of so large a sum, or any other sum, at this particular juncture of affairs. The worthy Chaplain of the Penitentiary has addressed us a communication touching the adoption of certain regulations which look to the health and reformation of the convicts. He thinks it advisable to restrict them in their work to the walls of the Penitentiary. The State has many public buildings and other

property at the Capital, requiring repair and continued labor to keep in order, and this we think should be done by convict labor, which might be otherwise uselessly employed. In other words this matter should be left to the discretion of the Principal Keeper, believing as we do that in the exercise of a sound discretion, he will ordinarily keep them at work within the walls. He farther recommends the use of lights and the substitution of a small allowance of flour instead of meal, upon the Sabbath day, to those who may deserve such treatment. In his opinion such small comforts to be withheld at the discretion of the Principal Keeper, will be a new incentive to industry and order, besides promoting the health and mental improvement of the convicts. A majority of your Committee endorse these suggestions, but as the session is too far advanced to introduce a bill in pursuance of these views, they take this means of calling the attention of the proper officers to the subject.

From an examination of the financial condition of the Penitentiary, we find that in bringing the foregoing improvements to completion, the Institution has exceeded the original appropriation in 1858, (being \$30,000,) the sum of \$5,638,21. The faith of the State is bound for this amount, which must be paid. We also recommend the usual appropriation for provisions which together will make about \$8000, asked for the fiscal year, 1861.

L. H. BRISCOE, CHAIRMAN SENATE COM.

R. L. MCWHORTER, CHAIRMAN HOUSE COM.

Mr. Collier introduced a bill to add a proviso to the fourth section of an act entitled an act for the relief of the people and the banks of this State, passed 30th of November, 1860, and to add an additional section to said act; which was read the first time; also,

A bill to make certain decisions of the Supreme Court of this State with regard to the construction of the 9th chapter of the statute of 32d Henry VIII; which was read the first time.

Mr. Sturges presented the proceedings of a meeting of the citizens of Burke county, relative to our Federal Relations; which was read.

Mr. Bartlett introduced a bill to incorporate the Glover Guards in Monticello, Jasper county; which was read the first time.

Mr. Gartrell introduced a bill to make it the duty of traverse juries, upon the trial of persons indicted for the commission of offences punishable by fine or imprisonment in the common jails of this State, to fix in their verdict of

guilty the amount of the fine or imprisonment, or both, as they may think proper, not greater nor less than that prescribed by law; which was read the first time.

Mr. Ashley introduced a bill to authorize the Inferior Court of Lowndes county to pay, out of the county funds, the commissioners appointed under an Act entitled An Act to remove the county-site of Lowndes county, to change the line between said county and the county of Brooks, and for other purposes, assented to Nov. 21st, 1859; which was read the first time.

Mr. Rushin introduced a bill to provide for the disposition of the estate of Frances Brooks, late of Marion county, deceased; which was read the first time.

On motion of Mr. Harris, of Worth, the rules were suspended, and the Senate took up the following bill of the House of Representatives, which was read the first time, to-wit:

A bill to pardon William A. Choice, of the county of Fulton, now under sentence of death for the crime of murder, and to place him in the Lunatic Asylum of Georgia.

On motion of Mr. Davison, 150 copies of the newly discovered evidence were ordered to be printed for the use of the Senate.

The Senate took up, as the report of the Committee of the Whole, a bill to facilitate the construction of the Macon & Brunswick Rail Road.

The report was agreed to, the bill was read third time and passed.

On motion, the Secretary was directed to transmit the same forthwith to the House of Representatives.

Mr. Printup presented the proceedings of a meeting of the citizens of Floyd county, relative to our Federal Relations; which were read.

The Senate took up, as the report of the Committee of the Whole, a bill to authorize guardians, trustees, executors and administrators, in the county of Chatham, to invest in the bonds of the city of Savannah.

Mr. Lawton moved to amend the report by striking out the words "in the county of Chatham; which was agreed to.

Mr. Sturges moved further to amend the report by adding the following proviso:

Provided That an order to that effect be first obtained from the Court of Ordinary having jurisdiction of such administrator, executor or guardian; which was agreed to.

The report as amended was agreed to, the bill was read the third time, and passed.

The Senate took up the following engrossed bill, to-wit:

A bill to change the line between the counties of Haralson and Carroll, and for other purposes.

The bill was read the third time, and passed.

The Senate took up, as the report of the Committee of the Whole, a bill to add a section to the tenth division of the Penal Code.

On the motion to postpone the same indefinitely, the yeas and nays were recorded, and were, yeas 56; nays 52.

Those who voted in the affirmative are Messrs. :

Ashley, Barclay, Briscoe, Brown, Burnett, Cannon, Carter of Echols, Carter of Elbert, Chester, Cone, Crittenden, Delaperriere, Denham, Evans, Fulton, Gaston, Green, Grice, Hackett, Harris of Dougherty, Harris of Worth, Harvin, Hightower, Hitchcock, Holt, Hyde, Ivey, Jones, Jordan, King, Lawton, Lott, Maddox, Maples, Merrill, Moore of Laurens, Poole, Pruitt, Reid of Morgan, Riley, Ritch, Roberts, Rushin, Shelnut, Sirman, Smith of Hancock, Snell, Spalding, Stowers, Tarver, Turner, Tracy, Usry, Wellborn, Williams of Berrien, Young.

Those who voted in the negative are Messrs. :

Alexander, Allred, Atkinson, Barrow, Bartlett, Batts, Billups, Boggs, Bond, Byars, Cloud, Collier, Cooper, Davis, Donaldson, Duncan, Ferrill, Flewellen, Glover, Hart, Hill of Troup, Hill of Wilkes, Hines, Hood, Jamison, Johnson of Clayton, Lockhart, McDuffie, McGehee, McRae, Moore of Whitfield, Morris, Oliver, Paine, Quillian, Reid of Taliaferro, Sawyer, Shelton, Smith of Talbot, Sturges, Summerour, Sweat, Tillman, Walker, Wallace, Ward, Wells, Whitworth, Williams of Rabun, Williams of Terrell, Wilson, Wynne.

So the motion to postpone indefinitely prevailed.

The Senate took up, as the report of the Committee of the Whole, a bill to amend the several Acts incorporating the city of Dalton.

Mr. Collier moved to amend the report by additional sections amendatory of the several Acts incorporating the city of Atlanta; which was agreed to.

The report as amended was agreed to, the bill was read the third time, and passed.

The Senate took up, as the report of the Committee of the Whole, a bill to compel Road Commissioners, in the several districts in this State where there are no Justices of the Peace, to make returns of persons liable to pay taxes.

The report was agreed to. The bill was read the third time and passed.

The Senate took up, as the report of the Committee of the Whole, a bill to incorporate the Rome Gas-Light Company of Rome, Floyd county Georgia.

The report was agreed to, the bill was read the third time, and passed.

The Senate took up, as the report of the Committee of the Whole, a bill to amend the third and seventh sections of the first Article of the Constitution of this State.

The Committee on the Judiciary, to whom said bill was referred, reported the following bill, as a substitute in lieu of the original bill:

A bill to alter and amend the third and fourth sections of the first Article of the Constitution of this State; which was agreed to.

On motion, the same was made the special order for Friday next.

The Senate took up, as the report of the Committee of the Whole, a bill to change the form of the oath required of tax-payers in this State.

The report was agreed to, the bill was read the third time, and passed.

The Senate took up, as the report of the Committee of the Whole, a bill to amend the several Acts relating to the South Western Rail Road Company, and for other purposes.

The report was agreed to. The bill was read the third time and passed.

The Senate took up, as the report of the Committee of the Whole, a bill to amend an Act to incorporate the Orphans' Home of the Protestant Episcopal Church, in Chatham county, passed Dec. 10th, 1859.

The report was agreed to, the bill was read the third time, and passed.

On motion, the same was ordered to be transmitted forthwith to the House of Representatives.

The Senate took up as the report of the Committee of the Whole, a bill to incorporate the Excelsior Mining Company of Georgia.

The report was agreed to, the bill was read the third time and passed.

The Senate took up, as the report of the Committee of the Whole, a bill to repeal so much of an Act entitled An Act to amend the foregoing, approved Dec 6th, 1860, as prevents the offending party, in cases of absolute divorce, from marrying, and amend the same.

The Committee on the Judiciary, to whom said bill was referred, moved to amend the report by striking out, in the caption, the words "entitled An Act to amend the foregoing," and inserting, after the word "of," in the caption, the words "the third section;" which was agreed to.

The report as amended was agreed to. The bill was read the third time and passed.

Mr. Harris of Dougherty from the Committee on Enrollment reported as duly enrolled and ready for the signature of the President of the Senate:

An act to exempt from Jury duty all practicing Physicians in the county of Emanuel and Houston. Also,

An act to authorize the counties of Walker and Chattooga to aid in the construction of the Coosa and Chattooga River Railroad, and to issue bonds therefor by a vote of a majority of the citizens of said counties. Also.

An act for the relief of James Parker of Marion county. Also,

An act for the relief of Bivins, Marcus and Mott. Also,

An act to legalize and make valid the several sessions of Chattahoochee and Quitman Superior Courts, of the Pataula Circuit, and, also, to change the time of holding the Superior Courts of Pike county.

The Senate took up as the report of the Committee of the Whole, a bill to protect the rights and liberties of the people of Georgia.

On motion the same was made the special order for Saturday next.

The Senate took up as the report of the Committee of the Whole, a bill to change the time of holding the Superior Courts of the counties of Washington and Putnam, and to add the county of Washington to the Ocmulgee Judicial Circuit.

Mr. Jordan moved to amend the report by striking out so much of the bill as transfers the county of Washington to Ocmulgee Judicial Circuit; which was lost.

Mr. Turner moved further to amend the report by striking out all that refers to Putnam county; which was agreed to.

Mr. Wells moved further to amend the report by striking out the 2d section, and the words "2d Monday in March and September," in the first section, and insert in lieu thereof the words, "4th Mondays in May and November"; which was agreed to.

Mr. Whitehurst moved further to amend the report by adding an additional section changing the times of holding the Superior Courts of Wilkinson county; which was agreed to.

Mr. Merrell moved further to amend the report by adding an additional section changing the time of holding the

Superior Courts of Polk county, and repealing certain act relative to the time of holding Carroll Inferior Court; which was agreed to.

The report as amended was agreed to; the bill was read the third time and passed.

The Senate took up as the report of the Committee of the Whole, a bill to incorporate the Methodist Episcopal Church and Camp Ground, and for other purposes, in the county of Walton.

The report was agreed to; the bill was read the third time and passed.

On motion the rules were suspended, and the Senate took up the following bill, which was read the second time, and referred to the committee of the whole,

A bill to consolidate the offices of Clerk of the Superior and Inferior Courts and Ordinary in Crawford county and for other purposes.

Mr. Paine from the Committee on Enrollment, reported as duly enrolled, and signed by the Speaker of the House of Representatives, and ready for the signature of the President of the Senate:

An Act to furnish money to the Medical College of Georgia, for the purpose of educating and graduating certain young men in Georgia, and for other purposes.

Mr. Fulton offered the following resolutions which was read:

Resolved, In the opinion of this General Assembly that the time has arrived for Georgia, under the existing state of things, the aggressions of some of the Northern States, the settled hostility of the Northern people to Southern institutions as evinced by the election of a Black Republican President and Vice President, take steps to announce to the world her final separation from the Government of the United States, that she invites consultation with her Southern sister States and would rejoice in their co-operation.

Resolved, That the Governor be required to transmit a copy of the foregoing resolutions to the Governors of all the Southern States with the request, that they be laid before their Legislatures and State Conventions.

Leave of absence was granted Mr. Chester after Tuesday, next, for the balance of the session, on special business.

Leave of absence was granted Mr. Duncan for the balance of the session on special business.

Leave of absence was granted Mr. Stowers after to-day for the balance of the session on special business.

Mr. Jordan offered the following resolution which was taken up, read and agreed to.

Resolved, That leave of absence be granted to the Senator from Sumter for the balance of the session, and that said leave date back and cover the whole time of his absence, his absence having been caused by severe illness.

The Senate took up as the report of the committee of the whole a bill to accomplish more efficiently the objects of the Patrol laws.

On motion the same was referred to the Committee on Agriculture.

The following message was received from the House of Representatives by Mr. Hillyer their Clerk :

Mr. President : The House of Representatives has concurred in a resolution of the Senate, tendering thanks to the Hon. R. R. Cuyler, President of the Central Railroad and Banking Company, and accepting his invitation to attend the Fair at Macon, and directed me to communicate the same to the Senate.

The Senate took up as the report of the committee of the whole, a bill to incorporate Griffin Fire Company, No. 1, and for other purposes.

Mr. Collier moved to amend the report by adding an additional section, amendatory of the act incorporating Atlanta Fire Company, No. 1, which was agreed to.

Mr. Sturges moved further to amend the report by adding an additional section, incorporating the Burke Guards, Lowndes Volunteers, Brooks Rifles, and Coweta Rangers, which was agreed to.

Pending which, the hour of adjournment having arrived the President adjourned the Senate until 3 o'clock, P. M.

THREE O'CLOCK P. M.

The Senate met according to adjournment.

The Senate resumed the consideration of the unfinished business of the morning, which was a bill to incorporate Griffin Fire Company, No. 1, and for other purposes, and the amendments pending thereto.

Mr. Hackett moved further to amend the report by extending the provisions of the bill to the Ringgold Volun-

teers, Lee Mounted Rifles and Bulloch Guards, which was agreed to.

The report as amended, was agreed to, the bill was read the third time and passed.

Leave of absence was granted Mr. Smith of Talbot, after Friday next for the balance of the Session, on special business.

The Senate took up as the report of the committee of the whole the following bill of the House of Representatives :

A bill to amend an act entitled an act to repeal an act to amend the road laws of this State, passed the 19th Dec 1818, approved Dec. 21st, 1822, so far as respects the county of Cherokee, and to adopt the following in lieu thereof, assented to Dec 7th, 1841.

The report was agreed to. The bill was read the third time and passed.

The Senate took up, as the report of the Committee of the Whole, the following bill of the House of Representatives:

A bill to incorporate the St. Mary's Volunteers, a Company of Infantry in the city of St. Mary's Camden county and State of Georgia, and to authorize the Governor to furnish suitable arms, and equipments, for the use of said company.

The report was agreed to. The bill was read the third time and passed.

The Senate took up, as the report of the Committee of the Whole, the following bill of the House of Representatives:

A bill to incorporate the Trustees of the Oconee Hill Cemetery and to confirm the title to lots sold therein.

The report was agreed to, the bill was read the third time and passed.

The Senate took up, as the report of the Committee of the Whole, the following bill of the House of Representatives:

A bill the better to protect the importers of foreign laborers.

The report was agreed to, the bill was read the third time and passed.

The Senate took up, as the report of the Committee of the Whole, the following bill of the House of Representatives:

A bill to amend an act entitled an act to incorporate the Columbus Savings and Mutual Loan Association, approved March 1st, 1856.

The report was agreed to, the bill was read the third time, and passed.

Mr. Harris, of Dougherty from the committee on enrollment reports as duly enrolled, and signed by the Speaker of the House of Representatives, and ready for the signature of the President of the Senate, the following bill, to-wit :

An Act for the relief of the children of Littleberry James, deceased ; also,

An Act for the relief of Sterling S. Jenkins ; also,

An Act to change the lines between the counties of Calhoun and Baker ; also,

An Act for the relief of George W. Reaves, of Pike county ; also,

A resolution to authorize the Governor to furnish side arms to certain officers.

The Senate took up, as the report of the Committee of the Whole, the following bill of the House of Representatives:

A bill to appropriate money for the support of the pupils of the Georgia Academy for the blind.

The report was agreed to, the bill was read the third time and passed.

The Senate took up, as the report of the Committee of the Whole, the following bill of the House of Representatives:

A bill to amend an act entitled an act to incorporate the Bainbridge Volunteers and to confer certain privileges upon the same ; also to incorporate the Atlanta Grays in the city of Atlanta, in the county of Fulton.

The report was agreed to. The bill was read the third time and passed.

The following message was received from the House of Representatives, by Mr. Hillyer, their Clerk :

Mr. President—The House of Representatives have passed the following bill :

A bill to encourage Volunteer Artillery companies in this State, and to appropriate money for the same.

The House have also concurred in the amendments of the Senate to the following bills of the House :

A bill to incorporate the Home Loan Association ; the Peoples Mutual Loan Association and the Augusta Mutual Loan Association of Augusta, and for other purposes.

A bill to incorporate the second Baptist Church, Kollock Street, Augusta, Georgia, also to incorporate Pleasant Grove Church and Academy in the county of Baldwin, also to in-

corporate Black Spring Academy in said county of Baldwin, and for other purposes therein mentioned.

The Senate took up, as the report of the Committee of the Whole, the following bill of the House of Representatives:

A bill to incorporate Bear Creek Academy in the county of Henry, in the State of Georgia.

The report was agreed to. The bill was read the third time and passed.

The Senate took up, as the report of the Committee of the Whole, the following bill of the House of Representatives:

A bill to confer upon the Inferior Courts of the counties in this State, power to establish, change or abolish any election precincts within the same.

The report was agreed to. The bill was read the third time and passed.

The Senate took up, as the report of the Committee of the Whole, the following bill of the House of Representatives:

A bill to amend an act entitled an act, organizing the Independent Volunteer Battalion of Augusta, approved March 3d, 1860, and for other purposes.

The report was agreed to. The bill was read the third time and passed.

The Senate took up, as the report of the Committee of the Whole, the following bill of the House of Representatives:

A bill to exempt practicing Physicians in the counties of Jasper, Dade, Laurens and Munroe, from jury duty in the said counties.

The report was agreed to, the bill was read the third time, and passed.

The Senate took up, as the report of the Committee of the Whole, the following bill of the House of Representatives:

A bill to incorporate the town of Trenton in the county of Dade, and to appoint Commissioners for the same, and to point out the mode of electing the same, and other officers and to confer powers on the Commissioners thereof.

The report as amended was agreed to, the bill was read the third time, and passed.

The Senate took up, as the report of the Committee of the Whole, the following bill of the House of Representatives:

A bill explanatory of an act to incorporate College Temple in Newman, Georgia, and to confer powers on the same, approved Feb. 11th, 1854.

The report was agreed to, the bill was read the third time and passed.

The Senate took up, the following engrossed bill of the House of Representatives:

A bill to prevent the taking and carrying away the wood or timber from the lands of another in the county of Fulton, and for other purposes.

The bill was read the third time and passed.

The Senate took up, as the report of the Committee of the whole the following bill of the House of Representatives:

A bill to incorporate Pine Grove Lodge, No. (177,) one hundred and seventy seven, of Free and Accepted Masons at Bear Creek, Henry county, Georgia.

Mr. Hood moved to amend the report by adding an additional section, incorporating Kiblin Lodge, No. 146, of Free and Accepted Masons in the county of Harris, which was agreed to.

The report as amended was agreed to, the bill was read the third time and passed.

The Senate took up as the report of the committee of the whole, the following bill of the House of Representatives:

A bill to incorporate Mulberry Methodist Camp Ground, in Gwinnett county, and to appoint Trustees for the same.

Mr. Pruitt moved to amend the report by adding an additional section, incorporating the Baptist Church at Neils Creek, in the county of Banks, which was agreed to.

The report as amended was agreed to, the bill was read the third time and passed.

The Senate took up as the report of the committee of the whole, the following bill of the House of Representatives:

A bill to appoint three Trustees for the Georgia Institution for the Deaf and Dumb, and for other purposes.

On motion the same was made the special order for Friday the 7th.

The Senate took up as the report of the committee of the whole, the following bill of the House of Representatives:

A bill to amend the Charter of the South Western Railroad company, and to authorize a further increase of the capital stock of said company, and to grant to said company banking powers and privileges, and for other purposes.

Mr. Tracy moved to amend the report by striking out all relating to banking privileges, which was agreed to.

The report as amended was agreed to, the bill was read the third time and passed.

The Senate took up as the report of the committee of the whole, the following bill of the House of Representatives :

A bill to extend aid to the Oglethorpe Medical College.

The report was agreed to.

Upon the question "shall this bill now pass?" the yeas and nays were recorded, and were, yeas, 40; nays, 62.

Those who voted in the affirmative, are Messrs.

Ashley, Atkinson, Barclay, Boggs, Burnett, Byars, Cannon, Carter of Elbert, Collier, Cooper, Cone, Davison, Davis, Ferrill, Fulton, Hackett, Hart, Harris of Dougherty, Harris of Worth, Hines, Jamison, Johnson of Clayton, Jordan, King, Larmer, Lawton, Lott, McRae, Paine, Printup, Shelton, Spalding, Summerour, Sweat, Tarver, Tracy, Usry, Wells, Wilson, Young.

Those who voted in the negative, are Messrs.

Alexander, Allred, Barrow, Batts, Billups, Bond, Brown, Carter of Echols, Cloud, Cook, Cowen, Delaperriere, Denham, Donaldson, Evans, Flewellen, Gaston, Green, Harvin, Hightower, Hill of Troup, Hill of Wilkes, Hitchcock, Holt, Hood, Hyde, Ivey, Jones, Lockhart, Maddox, Maples, Merrill, McGehee, Moore of Whitfield, Morris, Oliver, Poole, Pruitt, Quillian, Reid of Morgan, Reid of Taliaferro, Riley, Rushin, Sawyer, Shellnut, Sirman, Smith of Hancock, Smith of Talbot, Snell, Sturges, Tillman, Turner, Walker, Wallace, Ward Wellborn, Whitehurst, Whitworth, Williams of Berrien, Williams of Rabun, Williams of Terrell, Wynne.

Yeas 40, nays 62. So the bill was lost.

Mr. Holt from the Special Committee to whom was referred,

A bill to amend an act entitled an act to lay out and organize a new county from the counties of Lumpkin and Gilmer, assented to Dec. 3d, 1857, reported that they have had the same under consideration, and report a substitute in lieu of the original bill.

Leave of absence was granted Mr. Crittenden after Friday next for the balance of the session on special business.

Leave of absence was granted Mr. Maddox, after Monday next, for the balance of the session on special business.

Leave of absence was granted Mr. Ferrill until Monday next, on special business.

Leave of absence was granted Mr. Hood, for a few days on special business.

The hour of adjournment having arrived, the President adjourned the Senate until 9½ o'clock, to-morrow morning.

FRIDAY, DECEMBER 7th, 1860. }

9½ O'CLOCK, A. M. }

Senate met according to adjournment, and was opened with prayer by the Rev. Mr. Flynn.

Mr. Moore, of Whitfield moved to reconsider so much of the Journal of yesterday as relates to the vote by which a bill to add a section to the 10th division of the Penal Code was indefinitely postponed; which was lost.

Mr. Lawton moved to reconsider so much of the Journal of yesterday as relates to the vote by which a bill of the House of Representative to extend aid to the Oglethorpe Medical College was lost; which was lost.

Mr. Williams, of Terrell, presented the proceedings of a meeting of the citizens of Terrill county, relative to our Federal Relations; which were read.

The Senate took up, as the report of the Committee of the Whole, a bill to incorporate the town of Talbotton, and to repeal all conflicting laws.

The report was agreed to, the bill was read the third time, and passed.

Mr. Harris, of Dougherty, from the committee on enrollment; reported as duly enrolled and ready for the signature of the President of the Senate,

An act to incorporate the town of Valdosta in the county of Lowndes, and to provide for the election of Mayor, Councilmen, Clerks, Treasurer, and Marshal for the same, and to regulate the sale and retail of spirituous liquors in the town of Monroe; to authorise the members of the city council of Rome to elect a Mayor pro tem.; to amend the act incorporating the town of Hillsboro, in Floyd county; to exempt certain property in the town of Cartersville from taxation, for town purposes, and to extend the corporate limits thereof, and for other purposes.

Mr. Johnson, of Clayton, chairman of the committee on new counties and county lines, made the following report:

The committee on new counties and county lines, to whom certain bills of the Senate and House was referred, have had the same under consideration, and ask leave of the Senate to make the following report:

A bill to add the 369th district, G. M., of Putnam county to the county of Jasper, and duly considering the memorial for and against the passage, unanimously recommend that it do not pass; also,

A bill to create a new county out of the counties of Wayne and Appling, to be called _____, and recommend the same do not pass; also,

A bill to change the lines between the counties of Emanuel and Johnson, and recommend its passage; also,

A bill to change the lines between the county of Fayette and Clayton, so as to add the residence of S. A. Harris to the county of Clayton, and recommend the same to pass.

The committee have had also, a bill of the House under consideration, which is,

A bill to be entitled an act to confer additional powers upon the Justices of the Inferior Courts of the several counties of this State, and for other purposes therein named. We also recommend that this bill do pass.

J. F. JOHNSON, Chairman.

On motion of Mr. Spalding, the rules were suspended, and the Senate took up as the report of the Committee of the whole, a bill to authorise the commissioners appointed by the State to contract with some responsible company to erect an armory in this State, and for other purposes, and the substitute offered by the special committee.

Mr. Bartlett offered the following as a substitute in lieu of the bill and substitute previously offered:

A bill to authorise the Governor of this State to contract for and purchase arms for the purpose of arming the people of this State, and for other purposes.

Mr. Jones moved to amend the substitute, by inserting after the words "Augusta Machine Works," the following words, "or any other company now or hereafter to be formed in the State of Georgia;" which was agreed to.

The question recurring on the adoption of the substitute as amended, the same was lost.

Mr. Spalding moved to amend the report by the following:—

And the said commissioners are hereby instructed, before proceeding to erect buildings and purchase machinery, to examine any buildings with machinery already erected and purchased within the State, and if economy of time and money shall seem to require it, to purchase for an armory

the said buildings and machinery which may be properly adapted to such purpose, or if by a contract for arms to the extent of one hundred thousands dollars for each of the successive years with any private company, the erection of a first class armory can be secured within the State, they are authorized to make such contract and take no further steps to erect an armory by the State; which was agreed to.

On motion the same was made the special order for Saturday, the 5th inst.

Mr. Reid, of Taliaferro, moved to postpone indefinitely the bill and its amendments.

Upon agreeing to which motion the yeas and nays were recorded, and were yeas 54, nays 54.

Those who voted in the affirmative are Messrs.

Alexander, Allred, Bartlett, Billups, Boggs, Bond, Brown, Carter of Echols, Chester, Cloud, Cook, Cowen, Davis, Denham, Grice, Hines, Hitchcock, Holt, Hyde, Ivey, Jamison, Jones, Jordan, Kirby, Lott, Maddox, Maples, McLeod, McRae, Moore of Whitfield, Paine, Poole, Quillian, Reid of Taliaferro, Riley, Ritch, Roberts, Rushin, Sawyer, Shelton, Shellnut, Sheppard, Sirman, Smith of Hancock, Smith of Talbot, Snell, Tarver, Tillman, Wallace, Whitehurst, Whitworth, Williams of Berrien, Williams of Terrell, Young.

Those who voted in the negative are Messrs.

Ashley, Atkinson, Barclay, Batts, Briscoe, Burnett, Byars, Carter of Elbert, Cannon, Collier, Cooper, Cone, Crittenden, Delapierriere, Donaldson, Evans, Flewellen, Fulton, Gaston, Glover, Green, Hackett, Hart, Harris of Dougherty, Harris of Worth, Harvin, Hightower, Hill of Wilkes, Johnson of Clayton, King, Lawton, Lockhart, Merrill, McDuffie, McGehee, Moore of Laurens, Morris, Oliver, Printup Pruitt, Reid of Morgan, Robinson, Spalding, Sturges, Summerour, Turner, Tracy, Usry, Walker, Ward, Wellborn, Williams of Rabun, Wilson, Wynne.

There being a tie, the President of the Senate voted in the negative, and the motion to postpone indefinitely did not prevail.

The following message was received from the House of Representatives, by Mr. Hillyer, their Clerk :

Mr. President—The House of Representatives have passed the following bills of the Senate :

A bill to empower Mrs. Elizabeth Lowther, a widow, of Jones county; to appoint Americus C. B. Mitchell, of Bar-

bour county, Alabama, and Tennent Lomax, of Montgomery county, in the same State, or either of them, her executor or executors, and to entitle them to have letters testamentary granted, &c.; also,

A bill to amend an act entitled an act to simplify and curtail pleadings at law; also,

A bill to legalize the Executorship of Thomas W. Anderson, and for other purposes; also,

A bill to repeal an act entitled an act to alter and amend the Road Laws of this State, so far as relates to the county of Oglethorpe, and the several counties herein named, assented to December 13th, 1858, so far as the same relates to the county of Colquitt; also,

A bill to change the county line between the counties of Forsyth and Milton.

The House have also agreed to a resolution in regard to the boundary line between the States of Georgia and Florida, and I am directed to transmit the same forthwith to this branch of the General Assembly.

The House have also passed the following bill of the House:

A bill to organize the office of Adjutant and Inspector General of the State of Georgia.

On motion of Mr. Harris, of Worth, the rules were suspended, and the Senate took up the following bill of the House of Representatives, which was read the second time, and referred to the Committee of the Whole:

A bill to pardon William A. Choice, of the county of Fulton, now under sentence of death for the crime of murder, and to place him in the Lunatic Asylum of Georgia.

On motion the same was made the special order for tomorrow, 11 o'clock, A. M.

The following message was received from His Excellency the Governor, by Mr. Waters, his Secretary, to-wit:

Mr. President—The Governor has approved and signed the following acts, to-wit:

An act to authorize the Inferior Court of Baldwin county to subscribe for stock in the Milledgeville Railroad company, to levy and collect a special tax, and issue bonds for the payment of said stock.

An act to amend an act entitled an act to authorize the Thomaston and Barnesville Railroad company to construct and extend their Railroad to some point on the Railroad of the Muscogee Railroad company, and to authorize and empower the Muscogee Railroad company, by and with the

consent of the Thomaston and Barnesville company being first obtained thereto, to extend their Railroad from some convenient point on said Muscogee Railroad to Thomaston, in Upson county, and for other purposes therein mentioned, and also to incorporate the Middle Georgia Railroad Company, assented to on the 19th day of December, 1859, so far as said act relates to the Middle Georgia Railroad company.

An act to authorize the legal representatives of Intestates and Testators of other States to sue in this State.

An act to prevent and punish Camp Hunting in Burke county by non-residents.

A bill to alter the times of holding the elections of Receivers of Tax Returns and Tax Collectors in this State, to prescribe the mode in which they shall give bond, and the mode in which the office of Receiver of Tax Returns may be declared vacant.

An act to change the law in relation to taking depositions in Justices Courts, and for other purposes.

An act to legalize and make valid the several sessions of Chattahoochee and Quitman Superior Courts of the Pataula Circuit, and also to change the time of holding the Superior Courts of Pike county.

An act to authorize the counties of Walker and Chattooga to aid in the construction of the Coosa and Chattooga River Railroad, and to issue bonds therefor, by a vote of a majority of the citizens of said counties.

An act to change the line between the counties of Pierce and Wayne, so as to include the balance of lot of land whereon Russell Rawlerson now lives in Pierce county.

An act to incorporate the Alabama Planters' Steamboat Company.

An act to ratify and make valid the ordinances and resolutions of the Mayor and Council of the city of Columbus in reference to any subscription heretofore made, or which may hereafter be made by said Mayor and Council to the stock of the Opelika and Talledega Railroad company.

An act to lay out and incorporate the Dawson Turnpike Road Company.

An act to alter and change the name of the Thomaston and Barnesville Railroad company, to that of the Upson county Railroad company, to incorporate the same, and for other purposes.

An act to add the county of Chattahoochee to the Chattahoochee Circuit.

On motion of Mr. Collier, the rules were suspended, and the Senate took up the following bill, which was read the second time, and referred to the Committee of the Whole:

A bill to add a proviso to the fourth section of an Act entitled An Act for the relief of the people and banks of this State, passed 30th Nov., 1860, and to add an additional section to said Act.

Leave of absence was granted Mr. Glover, for a few days, on account of the sickness of his family.

Leave of absence was granted Mr. Cannon, after Tuesday next, for the balance of the session, on special business.

The Senate took up the following bills, which were severally read the second time, and referred to the Committee of the Whole:

A bill to incorporate the Swainsboro Branch Rail Road Company; also,

A bill to regulate the fees of jurors in Justices' Courts, in the counties of Catoosa and Dade, so far as the same relates to the county of Catoosa; also,

A bill to amend an Act to regulate the agencies of foreign Insurance Companies, assented to Dec. 12th, 1859, and to add an additional clause to the first section of said Act; also,

A bill to alter and amend the several Acts relative to the licensing of physicians in this State, approved Dec. 24th, 1825, and Feb. 13th, 1854, and for other purposes; also,

A bill to authorize A. Wallace Stark, of the State of Alabama, to act as administrator on the estate of George W. Harrison, deceased, late of the county of Baldwin, and for other purposes; also,

A bill to establish the office of Adjutant and Inspector General of the State of Georgia; also,

A bill to incorporate the Glover Guards, in Monticello; also,

A bill to authorize the Inferior Court of Lowndes county to pay, out of the county funds, commissioners appointed to remove the county-site of said county, and for other purposes; also,

A bill to provide for the disposition of the estate of Francis Brooks, late of Marion county, deceased.

The Senate took up the following bills, which were severally read the second time, and referred to the Committee on the Judiciary:

A bill to define and make certain the decisions of the Supreme Court of this State, with regard to the construction of the 9th chapter of the statute of 32 Henry the Eighth; also,

A bill to make it the duty of traverse juries, upon the trial of persons indicted for the commission of offences

punishable by fine or imprisonment, or by both fine and imprisonment in the common jails of this State, to fix, in their verdict of guilty, the amount of the fine or imprisonment, or both, as they may think proper, not greater nor less than that prescribed by law.

The Senate took up the following bills of the House of Representatives, which were severally read the second time, and referred to the Committee of the Whole:

A bill to amend an Act to incorporate the Skidaway Shell Road Company, and for other purposes; also,

A bill to prevent the firing of woods between the first day of May and the first day of February, in each and every year, in the county of Wilcox, and for other purposes; also,

A bill to incorporate Blackshear Academy, in Pierce county, and appoint trustees for the same, and for other purposes; also,

A bill to change the time of holding the Superior Courts in the counties of Glynn, Wayne, Camden and Charlton, in the Brunswick Judicial Circuit; also,

A bill to incorporate the town of Colquitt, in the county of Miller, to amend the second, fourth and sixth sections of an Act incorporating the town of Blackshear, Pierce county, approved Dec. 16th, 1859, and add an additional section to said Act; and to amend the Act incorporating the town of Quitman, and for other purposes; also,

A bill in relation to making returns by the representatives of deceased guardians, executors, administrators and trustees; also,

A bill to add lot of land No. 354 to the county of Lowndes, now Echols county, and to change so far the county lines; also to change the lines between the counties of Pickens and Gordon; also,

A bill to amend the first section of an Act, passed in 1859, amending the charter of the town of Washington; also,

A bill to protect the rights of the people of Georgia; also,

A bill to incorporate the Altamaha Scout, at Jones' Creek, in the county of Liberty; the Brunswick Rifles, of the county of Glynn, and confer certain privileges and exemptions on the same; also,

A bill to incorporate Prospect Camp Ground, in the county of Floyd, and for other purposes; also,

A bill to change the lines between the counties of Dawson and Lumpkin, and for other purposes; also,

A bill for the relief of Jeremiah H. Dupree, Receiver of Tax Returns, in and for the county of Dooly.

The Senate took up the following bill of the House of Representatives, which was read the second time, and referred to the Committee on the Judiciary:

A bill to approve, adopt, and make of force, in the State of Georgia, a revised Code of Laws, prepared under the direction and by authority of the General Assembly thereof, and for other purposes therewith connected.

The Senate took up the following bill of the House of Representatives, which was read the second time, and referred to the Committee on Finance:

A bill to provide for raising a revenue for the political year 1861, and to appropriate money for the support of government during said year, and to make certain special appropriations, and for other purposes therein named.

The Senate took up the following bills of the House of Representatives, which were severally read the first time:

A bill to pay James H. Estes a sum of money lost by him by reason of an error in the records of the State of Georgia; also,

A bill to organize the office of Adjutant and Inspector General of the State of Georgia; also,

A bill to encourage volunteer companies in this State, and to appropriate money for the same; also,

A bill to appropriate money for the execution of a turnpike and bridge across the Allapaha River, near Irwinville, on the road from Jacksonville, Telfair county, to the city of Albany, in Dougherty, and to build a bridge and turnpike across Spring Creek, in Miller county, and for other purposes; also,

A bill to change the line between the counties of Merriwether and Talbot, and Appling and Ware; also,

A bill for the publication of the Code of the State of Georgia, to point out the mode of doing the same, to fix the price, and to authorize the Governor to purchase five thousand copies of the same for the use of the State, and for other purposes.

Mr. Harris, of Worth, moved to suspend the rules, for the purpose of introducing a bill: which was agreed to.

Mr. Harris, of Worth, introduced a bill to require the judges of the Supreme Court of this State to propose and establish rules of practice in the Superior and Inferior Courts in this State; which was read the first time.

The hour of adjournment having arrived, the President adjourned the Senate until 3 o'clock, P.M.

THREE O'CLOCK, P M.

Senate met according to adjournment.

Leave of absence was granted Mr. Gartrell after to-day, on account of ill health.

The Senate took up the special order which was a bill to amend the third and seventh section of the first article of the Constitution of this State.

The Committee on the Judiciary to whom said bill was referred, offered the following bill as a substitute in lieu of the original bill:

A bill to alter and amend the third and fourth section of the first article of the Constitution of this State.

Mr. Harris of Dougherty moved further to amend the report by striking out the 2d section and substituting the following therefor, to-wit:

The Senate shall consist of one member from each of forty-four Senatorial districts, to be elected on the first Wednesday in October, until some other day shall be provided by law. The Senatorial districts shall be composed of three contiguous counties, and any new county hereafter made shall be added to either of the districts from which it was made.

Upon agreeing to which motion, the yeas and nays were recorded, and were yeas 47, nays 54.

Those who voted in the affirmative are Messrs.:

Allred, Ashley, Brown, Carter of Echols, Cone, Cowen, Davis, Denham, Donaldson, Evans, Gaston, Griffin of Twiggs, Hackett, Harris of Dougherty, Harris of Worth, Harvin, Hines, Hide, Ivey, Jamison, Jordan, King, Lott, Maddox, Maples, Merrill, McRae, Moore of Laurens, Poole, Quillian, Reid of Taliaferro, Riley, Ritch, Rushin, Sawyer, Shelton, Shellnut, Sirman, Snell, Tarver, Whitehurst, Whitworth, Williams of Berrien, Williams of Rabun, Williams of Terrell, Wilson, Young.

Those who voted in the negative are Messrs.

Barclay, Barrow, Bartlett, Billups, Boggs, Bond, Burnett, Byars, Carter of Elbert, Chester, Cloud, Collier, Cook, Davison, Delaperriere, Flewellen, Fulton, Gartrell, Glover, Green, Grice, Hart, Hightower, Hill, of Troup, Hill of Wilkes, Hitchcock, Holt, Jones, Kirby, Lamar, Lawton, Lockhart, McDuffie, McGehee, McLeod, Moore of Whitefield, Morris, Oliver, Printup, Pruitt, Sheppard, Smith of

Talbot, Spalding, Sturges, Summerour, Turner, Tracy, Trippe, Wallace, Ward, Wellborn, White, Wynne.

So the motion was lost.

Mr. Harris of Worth moved further to amend the report by striking out the words "United States" and inserting in lieu thereof the words "Southern Confederacy" which was lost.

Mr. Harris of Dougherty moved further to amend the report by striking out the words "twenty-five" and inserting the words "thirty-five," which was lost.

The report was agreed to.

Upon the question "shall this bill now pass?" the yeas and nays were recorded, and were yeas 65, nays 43.

Those who voted in the affirmative are Messrs.:

Alexander Barclay, Barrow, Bartlett, Billups, Boggs, Bond, Brown, Burnett, Byars, Carter of Elbert, Chester, Cloud, Collier, Cook, Cowen, Davison, Evans, Flewellen, Fulton, Gartrell, Glover, Grice, Hart, Harris of Dougherty, Harvin, Hightower, Hill of Troup, Hill of Wilkes, Holt, Jones, Jordan, Kirby, Lamar, Lawton, Lockhart, Merrill, McDuffie, McGehee, McLeod, McRae, Moore of Laurens, Moore of Whitfield, Morris, Oliver, Paine, Printup, Reid of Morgan, Shellnutt, Sheppard, Smith of Hancock, Smith of Talbot, Spalding, Sturges, Summerour, Tarver, Turner, Tracy, Trippe, Wallace, Ward, Wellborn, White, Wilson, Wynne.

Those who voted in the negative, are Messrs.

Allred, Ashley, Cannon, Carter of Echols, Cooper, Cone, Davis, Delaperriere, Denham, Donaldson, Gaston, Green, Griffin of Twiggs, Hackett, Harris of Worth, Hines, Hitchcock, Hyde, Ivey, Jamison, King, Lott, Maddox, Maples, Poole, Pruitt, Quillian, Reid of Taliaferro, Riley, Ritch, Roberts, Rushin, Sawyer, Shelton, Sirman, Snell, Sweat, Tillman, Whitworth, Williams of Berrien, Williams of Rabun, Williams of Terrell, Young.

So the bill was lost, there not being a constitutional majority in favor of its passage.

Mr. Harris, of Dougherty, from the Committee on Enrollment, reports as duly enrolled, and signed by the Speaker of the House of Representatives, and ready for the signature of the President of the Senate,

An act to incorporate the Home Loan Association, the Peoples Mutual Loan Association, and the Augusta Mutual

Loan Association of Augusta, and for other purposes therein mentioned ; also,

An act to exempt Practising Physician in the counties of Jasper, Dade, Laurens. and Monroe, from jury duty, and to compensate tales jurors in the said counties ; also;

An act explanatory of an act to incorporate College Temple, located in Newnan Georgia, and to confer powers on the same ; also,

An act to incorporate the St. Mary's Volunteers, a company of Infantry, in the city of St. Marys, Camden county, and State of Georgia, and to authorize the Governor to furnish suitable arms and equipments for the use of said company ; also,

An act to punish the taking and carrying away the wood or timber from the lands of another, in the county of Fulton, and for other purposes ; also,

An act the better to protect the importers of Foreign Laborers ; also,

An act to amend an act entitled an act, organizing the Independent Volunteer Battallion of Augusta, approved March 3d, 1856, and for other purposes ; also,

An act to incorporate Bear Creek Academy in the county of Henry, in the State of Georgia ; also,

An act to appropriate money for the support of the pupils of the Georgia Academy for the Blind ; also,

An act to incorporate the Second Baptist Church, Kollock street, Augusta, Georgia; also to incorporate Pleasant Grove Church and Academy, in the county of Baldwin ; also to incorporate Black Spring Academy in said county of Baldwin ; also,

An act to confer upon the Inferior Courts of the several counties in this State, powers to establish, change, or abolish any election precinct or precincts within the same ; also,

An act to amend an act entitled an act, to incorporate the Bainbridge Volunteers, and to confer certain privileges upon the same ; also to incorporate the Atlanta Grays in the city of Atlanta, in the county of Fulton ; also,

An act to amend an act entitled an act to repeal an act, to amend the road laws of this State, passed the nineteenth day of December, Eighteen Hundred and Eighteen, approved December twenty-first, Eighteen Hundred and Twenty-two, so far as respects the county of Cherokee, and to adopt the following in lieu thereof, assented to Dec. 7th, 1841 ; also,

An act to amend an act entitled an act to amend an act, to incorporate the Columbus Savings and Mutual Loan Association, approved March 1st, 1856 ; also,

An act to incorporate the trustees of the Occonee Hill Cemetery, and confirm the title to lots therein.

The Senate took up, as the report of the Committee of the whole the special order, which was a bill of the House of Representatives to appoint three trustees for the Georgia Institution for the Deaf and Dumb, and for other purposes.

The report was agreed to, upon the question shall this bill now pass? the yeas and nays and were recorded, and were yeas 81, nays 17.

Those who voted in the affirmative are Messrs :

Alexander, Allred, Ashley, Bartlett, Batts, Billups, Boggs, Burnett, Byars, Cannon, Carter of Echols, Carter of Elbert, Chester, Collier, Cook, Cone, Davis, Delaperriere, Denham, Flewellen, Fulton, Gartrell, Gaston, Glover, Green, Grice, Griffin of Twiggs, Hackett, Hart, Harris of Worth, Hill of Troup, Hill of Wilkes, Hines, Holt, Jamison, Jordan, King, Kirby, Lamar, Lawton, Lockhart, Lott, Maddox, Maples, McDuffie, McGehee, McLeod, McRae, Moore of Laurens, Oliver, Poole, Printup, Quillian, Reid of Morgan, Reid of Taliaferro, Riley, Ritch, Robinson, Roberts, Rushin, Shelton, Sheppard, Sirman, Smith of Hancock, Smith of Talbot, Snell, Spalding, Sturges, Summerour, Sweat, Tarver, Turner, Tracy, Trippe, Walker, Ward, Whitehurst, Whitworth, Williams of Berrien, Wynne, Young.

Those who voted in the negative are Messrs. :

Bond, Cowen, Donaldson, Harris of Dougherty, Hightower, Hitchcock, Hyde, Ivey, Jones, Moore of Whitfield, Morris, Shellnut, Tillman, Wallace, Wellborn, Williams of Rabun, Wilson.

So the bill was passed.

Mr. Collier, Chairman of the Committee on Banks, made the following report :

The Committee on Banks have had under consideration a bill to be entitled an act to incorporate the Georgia Banking Company, and for other purposes therein named, and report the same back to the Senate with amendments, and recommend that the same do pass.

JOHN COLLIER,
Chairman.

Leave of absence was granted Mr. Donaldson for the balance of the session after Thursday next, on special business.

The Senate took up the special order which was a bill to

lay out a new county from the counties of Chattooga and Walker, and for other purposes.

Mr. Kirby moved to amend the report by filling the blank with the word "Guerry," which was agreed to.

Mr. Bond moved further to amend the report by striking out all that relates to the county of Walker ; which was agreed to.

On motion the same was indefinitely postponed.

On motion of Mr. Smith of Talbot the rules were suspended, and the Senate took up as the report of the committee of the whole a bill to consolidate the offices of Clerk of the Superior and Inferior Court and Ordinary in the county of Crawford, and for other purposes.

The report was agreed to. The bill was read the third time and passed.

The Senate took up as the report of the committee of the whole, a bill of the House of Representatives for the relief of widows in certain cases.

Mr. Harris of Worth moved to indefinitely postpone the same.

Upon agreeing to which motion the yeas and nays were recorded, and were yeas 47, nays 31.

Those who voted in the affirmative are Messrs :

Allread, Ashley, Burnett, Byars, Cannon, Carter of Elbert, Collier, Cone, Cowen, Davis, Donaldson, Gartrell, Gaston, Greene, Grice, Griffin of Twiggs, Hart, Harris of Worth, Hill of Troup, Hill of Wilkes, Hines, Hitchcock, Jones, Lott, Maples, McDuffie, McRae, Moore of Laurens, Moore of Whitfield, Poole, Pruitt, Reid of Taliaferro, Riley. Ritch, Robinson, Rushin, Shelton, Shellnut, Spalding, Sweat Usry, Walker, Wellborn, Whitehurst, Whitworth, Wilson, Young.

Those who voted in the negative were Messrs.

Barclay, Batts, Billups, Boggs, Bond, Brown, Chester, Cloud, Cook, Fulton, Glover, Holt, Hyde, Ivey, Jordan, Lockhart, Merrill, McGhee, Oliver, Printup, Reid of Morgan, Sirman, Smith of Hancock, Sturges, Tarver, Turner, Trippe, Wallace, White, Wynne.

So the motion to postpone indefinitely prevailed,

The hour of adjournment having arrived, the President adjourned the Senate until 9½ o'clock to-morrow morning.

SATURDAY, DECEMBER 8TH, 1860, }
 9½ O'CLOCK A. M. }

Senate met according to adjournment, and was opened with prayer by Rev. Mr. Curtis.

Mr. Bartlett moved to reconsider so much of the Journal of yesterday as relates to the vote by which the substitute offered by him for a bill to authorise three commissioners appointed by the State, to contract with some responsible company to erect an Armory in this State, and for other purposes, was lost ; which was lost.

Mr. Lawton moved to reconsider so much of the Journal of yesterday, as relates to the vote by which a bill to amend the third and seventh sections of the first Article of the Constitution of this State was lost.

Upon agreeing to which motion the yeas and nays were recorded, and were yeas 59, nays 51.

Those who voted in the affirmative were Messrs.

Alexander, Barclay, Barrow, Bartlett, Billups, Bond, Burnett, Byars, Carter, of Elbert, Chester, Cloud, Collier, Cook, Cowen, Evans, Flewellen, Fulton, Gartrell, Grice, Hart, Harris of Dougherty, Harvin, Hightower, Hill of Wilkes, Holt, Jones, Jordan, Kirby, Lamar, Lawton, Lockhart, Merrill, McDuffie, McGehee, McLeod, McRae, Moore of Laurens, Moore, of Whitfield, Morris, Oliver, Paine, Printup, Reid of Morgan, Shellnut, Sheppard, Smith of Hancock, Spalding, Sturges, Summerour, Tarver, Turner, Tracy, Trippe, Wallace, Ward, Wellborn, White, Wilson, Wynne.

Those who voted in the negative are Messrs.

Allred, Ashley, Atkinson, Batts, Boggs, Briscoe, Brown, Carter, of Echols, Cooper, Cone, Davis, Denham, Donaldson, Gaston, Green, Griffin of Twiggs, Hackett, Harris, of Worth, Hill of Troup, Hines, Hitchcock, Hyde, Ivey, Jamison, Johnson of Clayton, Lott, Maddox, Maples, Poole, Pruitt, Quillian, Reid of Taliaferro, Riley, Ritch, Robiunson, Roberts, Rushin, Sawyer, Shelton, Sirman, Snell, Sweat, Tillman, Usry, Walker, Whitehurst, Whitworth, Williams of Berrien, Williams of Rabun, Williams of Terrell, Young.

So the motion to reconsider prevailed.

Mr. Kirby moved to reconsider so much of the Journal of yesterday as relates to the vote by which a bill to lay out

a new county from the counties of Chattooga and Walker was indefinitely postponed.

Upon agreeing to which motion, the yeas and nays were recorded, and were yeas 52, nays 50.

Those who voted in the affirmative are Messrs.

Allred, Atkinson, Barclay, Bartlett, Batts, Brown, Byars, Cannon, Carter of Echols, Chester, Cloud, Donaldson, Gartrell, Green, Griffin of Twiggs, Harris of Dougherty, Harris of Worth, Hightower, Hyde, Ivey, Jamison, Johnson of Clayton, Jones, King, Kirby, Lott, Maddox, McDuffie, McGehee, McLcod, McRae, Moore of Laurens, Oliver, Paine, Printup, Pruitt, Quillian, Reid of Morgan, Reid of Taliaferro, Ritch, Roberts, Shelton, Shellnut, Sirman, Snell, Sweat, Tarver, Wellborn, White, Whitworth, Williams of Berrien, Young.

Those who voted in the negative are Messrs.

Ashley, Barrow, Billups, Boggs, Bond, Briscoe, Burnett, Carter of Elbert, Collier, Cooper, Cook, Cone, Cowen, Davis, Delaperriere, Denham, Evans, Flewellen, Hart, Harvin, Hill of Troup, Hill of Wilkes, Hines, Hitchcock, Holt, Jordan, Lamar, Lawton, Lockhart, Maples, Merrill, Moore of Whitfield, Morris, Robinson, Rushin, Sawyer, Sheppard, Smith of Hancock, Spalding, Sturges, Turner, Tracy, Trippe, Usry, Walker, Wallace, Whitehurst, Williams of Rabun, Williams of Terrell, Wynne.

So the motion to reconsider prevailed.

Mr. Oliver moved to reconsider so much of the Journal of yesterday as relates to the vote by which a bill of the House of Representatives, for the relief of widows in certain cases therein mentioned, was indefinitely postponed; which was lost.

The following Message was received from the House of Representatives, by Mr. Hillyer, their Clerk:

Mr. President: The House of Representatives have passed the resolution pledging the aid, encouragement, sympathy and assistance of the people of Georgia to any Southern State which may secede from the Union, and which the General Government may attempt to coerce into subjection, and asking a like sympathy and assistance for the State of Georgia, from her Southern sisters, and I am directed to transmit the same forthwith to this branch of the General Assembly.

The Senate took up as the report of the Committee of the

Whole, the special order, which was a bill of the House of Representatives, to-wit:

A bill to pardon William A. Choice, of the county of Fulton, now under sentence of death for the crime of murder, and to place him in the Lunatic Asylum of Georgia.

The report was agreed to.

Upon the question "shall this bill now pass?" the yeas and nays were recorded, and were yeas 61, nays 23.

Those who voted in the affirmative were Messrs.

Ashley, Atkinson, Barclay, Batts, Billups, Boggs, Briscoe, Brown, Burnett, Byars, Cannon, Carter of Echols, Carter of Elbert, Chester, Cooper, Cook, Davis, Evans, Flewellen, Hackett, Harris of Dougherty, Harris of Worth, Harvin, Hill of Troup, Hines, Holt, Johnson of Clayton, King, Kirby, Lamar, Lawton, Lockhart, Lott, Maddox, McDuffie, McLeod, McRae, Moore of Laurens, Paine, Poole, Printup, Pruitt, Ritch, Rushin, Sawyer, Shelton, Simman, Smith of Hancock, Spalding, Summerour, Sweat, Tarver, Tracy, Trippe, Usry, Walker, Ward, Wellborn, Williams of Berrien, Williams of Terrell.

Those who voted in the negative are Messrs.

Allred, Bond, Collier, Cone, Delaperriere, Denham, Donaldson, Gartrell, Green, Griffin of Twigg, Hart, Hightower, Hill of Wilkes, Hitchcock, Hyde, Ivey, Jamison, Merrill, McGehee, Oliver, Reid of Taliaferro, Shellnut, White, Whitworth, Wynne.

So the bill was passed.

Messrs. Alexander, Cloud, Cowen, Jones, Maples, Moore of Whitfield, Quillian, Reid of Morgan, Riley, Roberts, Sheppard, Sturges and Wilson, were excused from voting on the foregoing bill, in consequence of having paired off with absent Senators.

Mr. Burnett, Chairman of the committee on the Lunatic Asylum, made the following report:

The Joint Committee of the Senate and House of Representatives, on the Lunatic Asylum beg leave to report, that they have visited the Asylum, examined its condition, and after consideration, respectfully recommend to the legislature, in addition to usual appropriations, an appropriation of the following sums of money for the purposes herein specified. The sum of five thousand thousand dollars for the completion of the wall, the construction

of such works as will render the supply of water amply sufficient for the convenience and comfort of patients, and for the security of the buildings from destruction by fire, the erection of an iron railing, and the embellishment of the grounds. The wisdom and justice of an appropriation of this character cannot fail to commend itself to the favorable consideration of the General Assembly. We feel that no argument is necessary to show that a public work of recognized utility, should be left in an unfinished condition, nor that so valuable a public building as the Lunatic Asylum should be provided with means of security from ravages by fire. The decoration of the grounds and the erection of an iron railing in front of them are of scarcely inferior importance; while such improvements would adorn and beautify this noblest monument of Georgia's philanthropy, they would divert the minds of such patients, as the Superintendent might permit to visit the grounds, from gloomy thoughts and illusions.

There are at present in the Institution about eighteen attendants, they now receive an average of two hundred dollars each per year. The sum in the judgment of the committee is not a sufficient compensation for the arduous services which they are required to discharge. We therefore recommend that each gallery attendant be allowed hereafter one dollar per day, and others in proportion to qualification and services. It appears from the report of the Superintendent to the Trustees, that a balance of \$566 06, is due by the building Commissioners; we unite with the Trustees in recommending that a special appropriation be made for discharging this indebtedness. The committee have carefully deliberated upon the propriety of making some provisions for the insane negroes of the State, humanity requires that Georgia should not neglect so important a class of her population; several cases have been brought to the knowledge of the committee which strongly illustrate the necessity of providing for them. We have therefore determined to recommend that ten thousand dollars be appropriated for the purpose of constructing suitable buildings, and that this sum be raised by the imposition of a slight tax on negro property. Your committee last year, had under consideration the subject of idiots, and to it their attention has been again directed. From the report of the Trustees, it appears that there are 442 idiots and 400 lunatics in Georgia. The Asylum is capable of accommodating 325 patients, these figures warrant us in coming to the conclusion, that if idiots are allowed to be received, numbers of lunatics for whose special benefit the Asylum was established, must be excluded. We therefore recommend the passage of an act prohibiting in future, the admission of idiots.

In submitting these recommendations, we have had due regard to the necessities of the Institution, the increase in the expenditures of the State, for the ensuing year, and the present condition of our Federal Relations. We have therefore confined our recommendations to appropriations for such objects as we deemed absolutely necessary. In closing this report we take occasion to renew our unqualified approbation of the admirable management of the Institution by Dr. Green, and his assistants. Under his superintendence, the Lunatic Asylum has become a credit to the State, and the economy which regulates all its departments bears ample testimony to the fact, that its interests could not have been entrusted to a more wise and efficient administration.

Mr. Burnett moved to print one hundred and fifty copies of the same, for the use of the Senate, which was agreed to.

The following message was received from the House of Representatives by Mr. Hillyer their Clerk.

Mr. President: The House of Representatives have concurred in the amendments of the Senate to the following bills of the House :

A bill to amend the charter of the South Western Railroad Company, and to authorize a further increase of the capital stock of said company, and to grant to said company banking powers and privileges ; also,

A bill to incorporate Mulberry Camp Ground in Gwinnett county ; also,

A bill to incorporate Pine Grove Lodge, No. 177, of Free and Accepted Masons.

The House have also concurred in the following resolutions of the Senate :

✓ A resolution requiring the Governor to purchase two hundred and fifty Maynard Carbines for the defence of the coast of Georgia ; also,

A resolution requesting the Governor to have the remains of the late Commodore James McIntosh, removed from their present resting place, and have them interred on the soil of Georgia at the expense of the State.

Mr. Holt offered the following resolution, which was taken up, read and agreed to :

Resolved, That all bills and resolutions hereafter passed by the Senate, be transmitted forthwith to the House of Representatives, unless when passed, notice be given of a motion to reconsider.

The Senate took up as the report of the committee of

the whole, a bill to regulate the measuring timber in the city of Darien.

The report was agreed to.

Mr. Cannon moved to recommit the bill, which was agreed to.

On motion the same was referred to a special committee of five :

In pursuance of which the President appointed Messrs. Cannon, Spalding, McLeod, Robinson and McDuffie as said committee.

Mr. Harris, of Dougherty, from the Committee on Enrollment, reported, as duly enrolled and ready for the signature of the President of the Senate :

An Act to repeal an act entitled an act, to alter and amend the road laws of this State, so far as relates to the county of Oglethorpe, and the several counties therein named, assented to Dec. 13th, 1858, so far as the same relates to the county of Colquitt ; also,

An act to empower Mrs. Elizabeth Lowther a widow of Jones county to appoint Americus C. B. Mitchell, of Barbour county, Alabama, and Tennent Lomax, of Montgomery county, in the same State, or either of them her executors or executor and to entitle them to have letters testamentary granted, &c. ; also,

An act to amend an act entitled an act to simplify and curtail pleadings at law ; also,

A resolution in regard to the boundary line between the States of Georgia and Florida : also,

An act to change the county line between the counties of Forsyth and Milton ; also,

An act to legalize the executorship of Thomas W Anderson, and for other purposes.

The Senate took up, as the report of the Committee of the whole, a bill to protect the rights and liberties of the people of Georgia.

Mr. Hill of Troup moved to amend the report by striking out the words "has resumed her sovereignty and delegated powers but," which was agreed to.

Mr. Hill of Troup moved further to amend the report by inserting, after the words, "at an end," the words, "until said States shall return to their duties under the Constitution," which was agreed to.

Mr. Tracy moved to indefinitely postpone the bill.

Upon agreeing to which motion, the yeas and nays were recorded, and were, yeas 93, nays 5.

Those who voted in the affirmative, were Messrs.

Alexander, Allred, Ashley, Atkinson, Barclay, Barrow, Bartlett, Batts, Billups, Boggs, Bond, Briscoe, Brown, Burnett, Byars, Cannon, Carter of Elbert, Chester, Cloud, Collier, Cooper, Cook, Cone, Cowen, Davis, Delaperriere, Donaldson, Evans, Flewellen, Fulton, Gartrell, Gaston, Green, Griffin of Twiggs, Hackett, Hart, Harris of Dougherty, Harris of Worth, Harvin, Hightower, Hill, of Wilkes, Hines, Hitchcock, Hyde, Jamison, Jones, Jordan, King, Lawton, Lockhart, Lott, Maddox, Maples, Merrill, McDuffie, McGehee, Moore, of Laurens, Moore, of Whitfield, Oliver, Pruitt, Reid, of Morgan, Reid of Taliaferro, Riley, Ritch, Ribinson, Roberts, Rushin, Sawyer, Shelton, Shellnut, Sirman, Smith of Hancock, Snell, Spalding, Sturges, Sweat, Tarver, Tracy, Trippe, Usry, Walker, Wallace, Ward, Wellborn, Wells, White, Whitworth, Williams of Berrien, Williams, of Rabun, Williams, of Terrell, Wilson, Wymie, Young.

Those who voted in the negative are Messrs.

Hill, of Troup, Ivey, Morris, Poole, Sheppard.

Yeas 93, nays 5. So the motion to postpone indefinitely prevailed.

Mr. Harris, of Dougherty, from the committee on enrollment, reported as duly enrolled and ready for the signature of the President of the Senate :

A resolution requiring the Governor to purchase two hundred and fifty Maynard Rifles, and seven hundred and fifty Maynard Carbines for the defence of the coast of Georgia ; also,

A resolution for removing remains of McIntosh.

Mr. Flewellen presented the proceedings of a meeting of the citizens of Upson county, relative to our Federal Relations, which were read.

Leave of absense was granted Mr. Williams of Terrill, on account of special business.

Mr Harris, of Dougherty, from the committee on enrollment, reported as duly enrolled and signed by the Speaker of the House of Representatives, and ready for the signature of the President of the Senate :

An act to incorporate the town of Trenton in the county of Dade, and to appoint Commissioners of the same, and to point out the mode of electing the same and other officers

of said town, and to confer certain powers on the commissioners thereof; also,

An act to appoint three Trustees for the Georgia Institute for the Deaf and Dumb, and for other other purposes.

Leave of absence was granted the Committee on the Asylum for the Blind on Monday next.

The Senate took up as the report of the Committee of the Whole, a reconsidered bill, which was a bill to amend the third and seventh sections of the first Article of the Constitution of this State.

Mr. Harris, of Dougherty, moved to amend the report, by striking out the second section of said bill, and offering a substitute therefor; which was agreed to.

The report as amended was agreed to.

Upon the question, "shall this bill now pass?" the yeas and nays were recorded, and were, yeas, 65; nays, 44.

Those who voted in the affirmative are Messrs.

Alexander, Barclay, Barrow, Bartlett, Batts, Billups, Boggs, Bond, Burnett, Byars, Carter of Elbert, Chester, Cloud, Collier, Cooper, Cook, Cowen, Donaldson, Evans, Flewellen, Fulton, Gartrell, Hackett, Hart, Harris of Dougherty, Harvin, Hightower, Hill of Troup, Hill of Wilkes, Holt, Ivey, Johnson of Clayton, Jones, Jordan, Lawton, Lockhart, Merrill, McDuffie, McGehee, McLeod, McRae, Moore of Laurens, Moore of Whitfield, Morris, Oliver, Paine, Frintup, Reid of Morgan, Shellnut, Sheppard, Smith of Hancock, Spalding, Sturges, Summerour, Tarver, Tracy, Trippe, Wallace, Ward, Wellborn Wells, White, Williams of Terrell, Wilson, Wynne.

Those who voted in the negative are Messrs.

Allred, Ashley, Briscoe, Brown, Cannon, Carter of Echols, Cone, Davis, Delapierriere, Denham, Gaston, Green, Griffin of Twiggs, Harris of Worth, Hines, Hitchcock, Hyde, Jamison, King, Lott, Maddox, Maples, Poole, Pruitt, Quillian, Reid of Taliaferro, Riley, Ritch, Robinson, Roberts, Rushin, Sawyer, Shelton, Sirman, Snell, Sweat, Tillman, Usry, Walker, Whitehurst, Whitworth, Williams of Berrien, Williams of Rabun, Young.

So the bill was lost, there not being a constitutional majority of two-thirds in favor of its passage.

Mr. Harris, of Dougherty, from the Committee on Enrollment, reports as duly enrolled, signed by the Speaker of the House of Representatives, and ready for the signature of the President of the Senate,

An Act for the pardon of Wm. A. Choice, of the county of Fulton, now under sentence of death for the crime of murder, and to place him in the Lunatic Asylum of Georgia.

Mr. Cone from the Committee on the Military to whom was referred various bills incorporating Volunteer Companies in this State, reported a substitute in lieu of the original bills.

The Senate took up as the report of the committee of the whole, a bill to incorporate the Columbia Volunteers, and Thompson Guards, in the county of Columbia.

The Committee on the Military to whom said bill was referred, offered the following as a substitute in lieu of the original bill:

A bill to incorporate all Volunteer Companies of Infantry, Cavalry, or Artillery, which have been or may hereafter be organized and commissioned to extend certain privileges to the same, and for other purposes.

Mr. Harris of Dougherty moved further to amend the report by striking out the words "jury and patrol;" which was agreed to.

Mr. Sturges moved further to amend the report by adding an additional section; which was agreed to.

The report was agreed to. The bill was read the third time and passed.

The hour of adjournment having arrived, the President adjourned the Senate until 3 o'clock P. M.

THREE O'CLOCK, P. M.

Senate met according to adjournment, Hon. John Billups, President, *pro. tem.* in the chair.

Mr. Cowen presented the proceedings of a meeting of the citizens of Milton county relative to our Federal Relations, which were read.

Mr. Kirby presented a memorial from Maj. Mark A. Cooper, which was read and referred to the Committee on the Military.

On motion of Mr. Collier the rules were suspended, and the Senate took up as the report of the committee of the whole, a bill to add a proviso to the fourth section of an act

entitled an act for the relief of the people and banks of this State, passed 30th of November, 1860, and to add an additional section to said act.

Mr. Jordan moved to amend the report by inserting in the second section after the word "recited" the following words "and the purchaser shall run or attempt to run said property beyond this State or any county thereof;" which was agreed to.

Mr. Hyde moved further to amend the report by striking out the second section, which was lost.

Mr. Cannon moved to indefinitely postpone the bill and its amendments, upon agreeing to which motion the yeas and nays were recorded, and were yeas 39, nays 61.

Those who voted in the affirmative are Messrs.

Barclay, Barrow, Bartlett, Batts, Bond, Brown, Cannon, Cloud, Cooper, Davis, Denham, Grice, Griffin of Twiggs, Hackett, Hart, Hightower, Hines, Hitchcock, Ivey, Jamison, Johnson of Clayton, King, Lamar, Lott, Maddox, McDuffie, Moore of Laurens, Sawyer, Shelton, Sirman, Spalding, Sturges, Summerour, Sweat, Usry, Whitehurst, Whitworth, Williams of Berrien, Wynne,

Those who voted in the negative are Messrs.

Allred, Ashley, Briscoe, Burnett, Byars, Chester, Collier, Cook, Cone, Cowen, Delaperriere, Donaldson, Evans, Flewellen, Fulton, Gartrell, Gaston, Green, Harris of Dougherty, Harris of Worth, Harvin, Hill of Troup, Hill of Wilkes, Holt, Hyde, Jones, Jordan, Kirby, Lawton, Lockhart, Maples, Merrill, McGehee, McRae, Moore of Whitfield, Morris, Oliver, Paine, Printup, Pruitt, Quillian, Reid of Morgan, Reid of Taliaferro, Riley, Ritch, Robinsen, Roberts, Shellnut, Sheppard, Snell, Tarver, Tillman, Tracy, Trippe, Walker, Wallace, Ward, Wellborn, White, Wilson, Young,

So the motion to postpone indefinitely did not prevail.

The report as amended was agreed to, upon the question "shall this bill now pass?" the yeas and nays were recorded and were yeas 71, nays 24.

Those who voted in the affirmative are Messrs. :

Alexander, Allred, Barrow, Bartlett, Batts, Bond, Briscoe, Burnett, Byars, Carter of Echols, Chester, Collier, Cooper, Cook, Cone, Cowen, Delaperriere, Donaldson, Evans, Flewellen, Gartrell, Gaston, Green, Griffin of Twiggs, Hackett, Harris of Dougherty, Harvin, Hill of Troup, Hill of Wilkes, Hines, Hitchcock, Holt, Jones, Jordan, Kirby,

Lawton, Lockhart, Maples, Merrill, McGehee, McLeod, McRae, Moore of Laurens, Moore of Whitfield. Morris, Oliver, Paine, Poole, Printup, Pruitt, Quillian, Reid of Morgan, Reid of Taliaferro, Ritch, Robinson, Roberts, Shelton, Shellnut, Sirman, Snell, Tarver, Tillman, Tracy, Wallace, Ward, Wellborn, White, Whitehurst, Williams of Berrien, Wilson, Young.

Those who voted in the negative are Messrs.

Ashley, Barclay, Cannon, Cloud, Davis, Denham, Hart, Harris of Worth, Hightower, Hyde, Jamison, Lamar, Lott, Maddox, McDuffie, Riley, Sawyer, Spalding, Sturges, Sweat, Usry, Walker, Whitworth, Wynne,

So the bill was passed.

The following message was received from the House of Representatives, by Mr. Hillyer, their Clerk.

Mr. President: The House of Representatives have passed the following bills,

A bill to appropriate money for the purpose of compensating the widow and children of David Harrison, late of the county of Cobb, for damages sustained by them, by reason of the killing of the said David Harrison, their husband and father, whilst in the employment of the Western and Atlantic Railroad, and for other purposes.

I am directed to transmit the same forthwith to this branch of the General Assembly.

Leave of absence was granted Mr. Wells for the balance of the session on special business.

Leave of absence was granted Mr. Tarver, for Monday next.

Leave of absence was granted Mr. Poole for a few days on special business.

Mr. Hightower asked permission to record his vote in the negative on the passage of the bill for the pardon of William A. Choice, which was granted.

The following message was received from His Excellency the Governor, by Mr. Waters, his Secretary, to-wit:

Mr. President: The Governor has approved and signed the following acts, to-wit:

An act to incorporate the town of Valdosta in the county of Lowndes, and to provide for the election of Mayor, Councilmen, Clerk, Treasurer, and Marshal for the same and to

regulate the sale and retail of spirituous liquors in the town of Monroe; to authorise the members of the city council of Rome to elect a Mayor pro tem.; to amend the act incorporating the town of Hillsboro, in Floyd county; to exempt certain property in the town of Cartersville from taxation for town purposes, and to extend the corporate limits thereof, and for other purposes.

An act to incorporate the Union Loan and Building Association, in the city of Atlanta.

An act to exempt from Jury duty all practicing physicians in the counties of Emanuel and Houston.

Mr. Harris, of Dougherty, from the Committee on Enrollment, reported, as duly enrolled and signed by the Speaker of the House of Representatives, and ready for the signature of the President of the Senate,

An act to incorporate the Mulberry Methodist Camp Ground, in the county of Gwinnett, and to appoint Trustees for the same, and for other purposes therein mentioned.

Mr. Atkinson moved to suspend the rules for the purpose of introducing a bill; which was agreed to.

Mr. Atkinson introduced a bill to incorporate the European and Southern Direct Trade and Steam Navigation Company of Georgia; which was read the first time.

On motion one hundred and fifty copies of the same was ordered to be printed for the use of the Senate.

The following message was received from His Excellency the Governor by Mr. Waters, his Secretary, to wit:

Mr. President: I am directed by His Excellency the Governor, to lay before the Senate a special message on the subject of Direct Trade with Europe.

On motion the following communication in writing from His Excellency, the Governor, was taken up and read, and referred to the Committee on Finance.

EXECUTIVE DEPARTMENT, }
MILLEDGEVILLE, GA., Dec. 8th, 1860. }

To the General Assembly:

The present aspect of our political affairs, makes it the duty of the legislative authority of the State, to provide, in every way possible, for direct and speedy communication with Europe.

In the event of a dissolution of the Federal Union, the mail facilities of Georgia, and other Southern States, would be cut off for a time, and our cotton and other productions,

must be carried upon the ships of our enemies through Northern cities, where we must continue to pay wharfage, drayage, storage, commissions, and other expenses, to have them forwarded to Europe; while all our exchanges, and monetary transactions with Europe, must be conducted by, and pass through the hands of our enemies. This would be a state of dependence, to say nothing of the immense expense attending it, with which no Georgia should be satisfied. I deem it the duty of the Legislature, therefore, to make prompt provision for a line of ocean steamers, to run weekly between Savannah, and some important commercial port in Europe. I am informed by Mr. C. G. Baylor, who addressed the members of the General Assembly on last evening, that a wealthy company in Europe, now has in its possession, five elegant ocean steamers, which, together with the necessary outfit, &c., are worth two millions of dollars. The company is willing to put these steamers immediately to sea, and run a weekly line between Savannah and one of the most important commercial cities in Europe, touching at one or two other important European ports; if it can receive a guaranty that the capital invested will pay five per cent. upon the amount of the investment, rating the steamers at a fair valuation.

I therefore recommend the passage of a joint resolution of the General Assembly, authorising the Governor of this State, or some other competent authority, in behalf of the State, to send a Commissioner to Europe, to examine the steamers, and if found suitable, to enter into such negotiations as will secure the establishment of this line, with power to give a guaranty on the part of this State, that the steamers shall pay to the company five per cent. upon the amount of capital invested. I cannot suppose that there would be any difficulty about the incomes of the line paying five per cent on the capital. Should there be a deficiency, it could not be large; and in my opinion, the State should not hesitate to guarantee the deficiency, if any, for five years, for the purpose of securing the establishment of the line.

In addition to our cotton and other freights, and the mail service of this and other Southern States, a large portion of the emigrant travel of continental Europe, could, it is believed, be secured to this line. I trust the General Assembly will not fail to see the importance of improving the opportunity now offered for taking an important step in securing the inauguration of a system of direct trade and intercourse with Europe, by steam communication.

I recommend such appropriations, and the enactment of such laws, as may be necessary to secure the advantages which it is believed are now offered to the people of this and the other Southern States.

JOSEPH E. BROWN.

The hour of adjournment having arrived, the President adjourned the Senate until 9½ o'clock, Monday morning.

MONDAY, DECEMBER 10TH, 1860. }
9½ O'CLOCK, A. M. }

Senate met according to adjournment, and was opened with prayer by the Rev. Mr. Flynn.

An invitation to visit the Institution for the Blind was read.

Mr. Delaperriere presented the proceedings of a meeting of the citizens of Jackson county relative to our Federal Relations; which were read.

Mr. Cannon, from the special committee to whom was referred a bill to regulate the measuring timber in the city of Darien, reported a substitute therefor, and recommended the passage of the substitute.

Mr. Collier introduced a bill to incorporate the Atlanta Publishing Company; which was read the first time.

Mr. Printup, Chairman of the Committee on Finance, to whom was referred the Special Message of his Excellency the Governor, upon the subject of Direct Trade, reported that they had the same under consideration, and reported

A bill to incorporate the Belgian American Company for the development of direct trade with the Southern States of the United States, and to grant the right of domicile to said Company, and for other purposes therein specified, which, at the proper time, the committee would move as a substitute for a bill to incorporate the European and Southern Direct Trade and Steam Navigation Company of Georgia; and,

On motion of Mr. Printup, one hundred and fifty copies of the bill reported were ordered to be printed for the use of the Senate.

Mr. Harris, of Dougherty, from the Committee on Enrollment, reports, as duly enrolled, and signed by the Speaker of the House of Representatives, and ready for the signature of the President of the Senate:

An Act to incorporate Pine Grove Lodge, No. (177,) one hundred and seventy seven, of Free and Accepted Masons at Bear Creek, Henry county, Georgia, and Kiblin Lodge, No. (146,) one hundred and forty-six, of Free and Accepted Masons, in Harris, county, Georgia.

The Senate took up as the report of the Committee of the Whole, a bill to regulate the measuring timber in the city of Darien.

The special committee, to whom said bill was referred, offered the following, as a substitute in lieu of the original bill:

A bill to add an additional section to an Act entitled An Act to regulate the measuring of all timber prepared for the sea-ports of Georgia, and for the appointing of measurers and inspectors of the same, approved February 4th, 1854; which was agreed to.

The report as amended was agreed to. The bill was read the third time and passed.

The Senate took up as the report of the Committee of the Whole, a bill to change the line between the counties of Madison and Jackson.

Mr. Jamison moved to amend the report by additional sections changing the line between Union and Towns counties, and legalizing the sale of lot of land No. 88 by the sheriff of Towns county; which was agreed to.

The report as amended was agreed to, the bill was read the third time and passed.

On motion the rules were suspended, and the Senate took up the following bill of the House of Representatives; which was read the first time, to-wit:

A bill to appropriate money to compensate the widow and children of David Harrison, late of Cobb county, for damages sustained by them by reason of the killing of the said David Harrison, whilst in the employment of the Western & Atlantic Rail Road.

Mr. Smith, of Hancock, presented the proceedings of a meeting of the citizens of Hancock county relative to our Federal Relations; which were read.

The Senate took up as the report of the Committee of the Whole, a bill to authorize three commissioners, appointed by the State, to contract with some responsible company to erect an armory in this State, and for other purposes, and the amendments pending thereto.

By unanimous consent, Mr. Bartlett withdrew the substitute previously offered by him.

Mr. Spalding offered the following, as a substitute in lieu of the original substitute offered by the committee, to-wit:

A bill to promote the manufacture of small arms in the Southern States.

Mr. Hill, of Troup, moved to amend the same by adding a proviso to the first section; which was agreed to.

The report as amended was agreed to, the bill was read the third time, and passed.

The Senate took up the following bill, which was read the second time, and referred to the Committee on Finance:

A bill to incorporate the European and Direct Trade Steam Navigation Company of Georgia.

Mr. Harris, of Dougherty, from the committee on enrollment, reports, as duly enrolled and signed by the Speaker of the House of Representatives, and ready for the signature of the President of the Senate,

An Act further to amend the charter of the Southwestern Rail Road Company, and to authorize a further increase of the capital stock of said company, and for other purposes.

On motion, Mr. Atkinson was added to the Committee on Finance.

The Senate took up, as the report of the Committee of the Whole, a bill to lay out a new county from the counties of Newton and DeKalb.

On motion of Mr. Alexander, the same was indefinitely postponed.

The Senate took up, as the report of the Committee of the whole the following bill of the House of Representatives :

A bill the better to regulate the liquor traffic in the counties of Taliaferro, Green, Washington and Henry, and for other purposes.

The report was agreed to, the bill was read the third time, and passed.

On motion of Mr. Spalding, the rules were suspended, and the Senate took up, as the report of the Committee of the Whole, a bill to provide for the public defence, and for other purposes.

Mr. Poole moved to amend the report by adding to the third section the words "and privates;" which was lost.

Mr. Poole moved further to amend the report, by adding to the fourth section the words "and privates of said battalion."

Upon agreeing to which motion, Mr. Paine required the yeas and nays, which, being recorded, were yeas 43, nays 50.

Those who voted in the affirmative are Messrs.

Allred, Bartlett, Bond, Brown, Cook, Davis, Delaperriere, Gartrell, Green, Grice, Harris of Dougherty, Harris of Worth, Hines, Hitchcock, Hyde, Ivey, Jones, Maples, McDuffie, McLeod, McRae, Moore of Laurens, Morris, Paine, Poole, Pruitt, Reid of Taliaferro, Riley, Ritch, Robinson, Roberts, Rushin, Shellnut, Sheppard, Sirman, Snell, Sweat, Walker, Ward, Ware, Whitehurst, Whitworth, Wynne.

Those who voted in the negative are Messrs.

Ashley, Atkinson, Barrow, Batts, Boggs, Briscoe, Burnett, Byars, Cannon, Carter of Echols, Carter of Elbert, Chester, Collier, Cooper, Cone, Evans, Ferrill, Fulton, Gaston, Griffin of Twiggs, Hackett, Hart, Harvin, Hightower, Hill of Troup, Hill of Wilkes, Jordan, King, Kirby, Lamar, Lawton, Lockhart, Lott, Merrill, McGehee, Moore of Whitfield, Oliver, Printup, Reid of Morgan, Sawyer, Shelton, Smith of Hancock, Spalding, Sturges, Tillman, Wallace, White, Williams of Berrien, Wilson, Young.

So the motion to amend was lost.

Mr. Poole moved further to amend the report, by adding to the fifth section the words "and privates composing said regiment;" which was lost.

Mr. Poole moved further to amend the report, by inserting in the sixth section, after the words "commissioned officers," the words "and privates;" which was lost.

Mr. Lawton moved further to amend the report, by inserting after the word "require," in the first section, the following: "each company composing the brigade shall elect its own commissioned and non-commissioned officers of the rank and number now provided by the militia laws of this State;" which was agreed to.

The report as amended was agreed to, the bill was read the third time and passed.

The following message was received from the House of Representatives, by Mr. Hillyer, their Clerk:

Mr. President:—The House of Representatives have agreed to a resolution to appoint a committee on the part of the House, to join a like committee on the part of the Senate, to examine into the condition of the business of both Houses, and to report as to the propriety of prolonging the present session of the General Assembly, in which they ask the concurrence of the Senate.

The following gentlemen have been appointed as such committee on the part of the House, under the above resolution, to-wit: Messrs. Gibson of Richmond, McWhorter and Fannin; and I am directed to transmit the same forthwith to this branch of the General Assembly.

The House have also passed the following bills:

A bill to limit the liability of Steamboat owners; also,
A bill for the relief of David W. Lewis, of the county of Hancock, and to authorise John Gardner, of Wilkinson county, executor of the last will and testament of Harriet Smith, late of Houston county, deceased, to take the legacy devised in said will to the heirs of Lewis Gardner, deceased,

to the residence of said heirs in the State of Arkansas for the purpose of paying the same to said heirs or their representatives; also,

A bill to allow free persons of color in this State to go into voluntary slavery, and for other purposes therein named.

On motion of Mr. Harris, of Worth, the rules were suspended, and the Senate took up a resolution of the House of Representatives, relative to the appointment of a committee to examine the condition of the business of the General Assembly, and report upon the propriety of protracting the present session.

On motion the same was concurred in.

In pursuance of which the President appointed Mr. Harris of Worth, Collier and Fulton, as said committee on the part of the Senate.

The following message was received from the House of Representatives by Mr. Hillyer, their Clerk :

Mr. President—The House of Representatives have passed the following bills:

A bill for the encouragement of education, and for other purposes; also,

A bill to authorise George B. May to practice medicine in the county of Murray without license; also,

A bill to point out the mode of recovering on bonds given by vagrants in pursuance of the twenty-second section of the Penal Code; also,

A bill for the relief of John R. Dyer, executor of Anthony Dyer, of Jasper county, deceased; also,

A bill for the relief of Benj. Williams, of the county of Harris; also,

A bill to incorporate the West Point and Franklin Navigation company, and to empower said company to clear out and improve the navigation of the Chattahoochee river from the city of West Point, Georgia, to Campbellton, Georgia, and for other purposes therein named; also,

A bill to enable parties having claims against the Nashville and Chattanooga Railroad company in the State of Georgia, to perfect service upon said company, and for other purposes; also,

A bill to alter and amend the first Article of the Constitution, relative to granting corporate powers and privileges; also,

A bill to authorize His Excellency the Governor to draw his warrant on the Treasurer in favor of Leonard A. Simpson, of the county of Cobb, for a sum therein named, for extra work done and materials furnished by him in the erection of the Laboratory building of the Georgia Military Institute; also,

A bill for the relief of R. D. Faircloth of Mitchell county, and for other purposes ; also,

A bill to appoint Commissioners and to remove obstructions in Briar creek from the mouth of said creek to Thompson's bridge in Burke county, and for other purposes ; also,

A bill authorizing bail to be given for slaves in certain cases mentioned ; also,

A bill for the relief of John M. Willhite, of the county of Jackson.

The House have also passed

A bill to appropriate money to compensate Josiah J. Anderson for damages sustained as therein set forth, and for other purposes.

And I am directed to transmit the same forthwith to this branch of the General Assembly

The House have also passed the following bills of the Senate :

A bill to postpone the operations of an act to regulate the agencies of Foreign Insurance Companies, and to provide for the appointment of an Insurance Commissioner, assented to 12th of December, 1859 ; also,

A bill to repeal an act so far as relates to taxing cattle of non-residents of the county of Irwin, assented to Dec. 19, 1859.

The House have also agreed to a resolution conferring upon His Excellency the Governor certain powers in relation to the opening of Direct Trade between the port of Savannah and some port in Europe, and to appoint a Commissioner to go to Europe, and open negotiations in favor of the same ; in which they ask the concurrence of the Senate.

And I am directed to transmit the same forthwith to this branch of the General Assembly.

The Senate took up, as the report of the Committee of the Whole, a bill to prevent free negroes and persons of color from living apart from their owners, hirers, &c., and to keep the same from having eating tables in the town of Monroe, in this State, and for other purposes.

The report was agreed to. The bill was read the third time and passed.

The Senate took up, as the report of the Committee of the Whole a bill to furnish arms to the Military Department of Brownwood Institute.

Mr. Lawton moved to amend the report by adding a proviso to the first section ; which was agreed to.

On motion the same was indefinitely postponed.

The Senate took up, as the report of the Committee of

the Whole, a bill to incorporate Talula male and female Institute in the town of Oglethorpe, Macon county.

The report was agreed to. The bill was read the third time and passed.

On motion the rules were suspended, and the Senate took up a resolution of the House of Representatives relative to the appointment of a Commissioner to visit Europe for certain purposes.

Mr. King offered an amendment thereto.

On motion the resolution and amendment was referred to the Committee on Finance.

Mr. Harris of Dougherty, from the committee on enrollment reported as duly enrolled and ready for the signature of the President of the Senate :

An act to postpone the operation of an act to regulate the agencies of foreign Insurance companies, and to provide for the appointment of an Insurance Commissioner, assented to 12th, Dec. 1859 ; also,

An act to repeal an act so far as relates to taxing cattle of non-residents, five cents per head, above the cattle of residents of the county of Irwin, assented to Dec. 19th, 1859.

Mr. Lawton, Chairman of the Committee on the Judiciary made the following report :

The Committee on the Judiciary have had the following bills under consideration, to-wit :

A bill to be entitled an act to provide a mode by which Ordinaries may compel the more speedy distribution and settlement of estates, in the hands of executors, administrators and guardians, and recommend that the same do not pass ; Also,

A bill to be entitled an act to amend the twelfth section of the thirteenth division of the Penal Code, and recommend that the same do pass ; also,

A bill to be entitled an act to authorize the levy and sale of judgments and executions, belonging to non-residents of this State, and recommend that the same do not pass ; also,

A bill to be entitled an act to amend the 16th section of an act entitled an act, to authorize the issuing of attachments and garnishments, and to regulate proceedings in relation to the same, and for other purposes therein mentioned, assented to March 4th, 1856, and recommend that the same do pass with an amendment ; also,

A bill to be entitled an act to compel Justices of the Peace in this State to give bond and security, and for other purposes, and recommend that the same do not pass ; also,

A bill to be entitled an act to alter and amend an act entitled an act to prohibit the sale of deadly weapons, and to and prescribe the manner of carrying the same, and for other purposes therein named, assented to January 12th, 1852,

so far as to add a proviso to the third section thereof, and recommend that the same not pass ; also,

A bill to be entitled an act to change the law, relative to evidence, and they recommend that the same do not pass ; also,

A bill to be entitled an act to authorize the Ordinaries of this State to issue executions in favor of widows and minors for the 12 months support allowed them by appraisors appointed for that purpose, under an act of the General Assembly, approved 19th day of Feb. 1856, and recommend that the same do pass ; also,

A bill to be entitled an act to amend the act of the General Assembly of the State of Georgia, relative to trading with slaves, gambling with slaves, and selling or furnishing liquor to slaves, and other offences, relating to slaves, and recommend that the same do pass ; also,

A bill to be entitled an act to regulate the liquor traffic, in the county of Fannin, and recommend that the same do not pass ; also,

A bill to be entitled an act to amend an act entitled an act to authorize the Judges of the Superior Courts of this State, to appoint receivers during vacation, and to require the complainant in all cases asking for writs of *ne erent quia timet*, and all applications asking for the appointment of a receiver, or for injunctions to give bond and security to the respondent, for any loss or damage, which he or they may sustain by the suing out of such writs, and for other purposes, approved 4th March, 1856, and recommend that the same do not pass ; also,

A bill to be entitled an act to extend the provisions of the act of 1857, to all trustees, and they recommend that the same do pass ; also,

A bill to be entitled an act to compel Trustees, Guardians, Administrators, and Executors, to pay into Court from time to time, such portions of the income of the estate, of *cestue que trusts* legatees, distributees, as shall be necessary to carry on litigations, and support such *cestue que trusts* legatees and distributees, pending the same, and for other purposes therein mentioned, and recommend that the same do not pass ; also,

A bill to be entitled an act to amend the fourth division of the Penal Code of this State ; also,

A substitute for the same, and the committee report a substitute for the original bill, and substitute, and recommend that the same do pass.

A. R. LAWTON, Chairman.

The Senate took up, as the report of the Committee of the whole, a bill to compel all persons owning lands in certain counties therein named, to have the same resurveyed.

On motion of Mr. Cannon the same was referred to a Special Committee.

The Senate took up as the report of the committee of the whole, a bill to amend an act entitled an act, to give all persons employed on all Steamboats, and other water crafts on the Chattahoochee, Altamaha and Ocmulgee rivers, a lien on said Steamboats or water craft for his, her or their wages, and for other purposes.

The report was agreed to. The bill was read the third time and passed.

Leave of absence was granted Messrs. Ashley and Collier after Friday next on special business.

The Senate took up as the report of the committee of the whole, a bill amendatory of the several acts relative to the LaGrange Female College, and for other purposes.

The report was agreed to. The bill was read the third time and passed.

The hour of adjournment having arrived, the President adjourned the Senate until 3 o'clock, P. M.

THREE O'CLOCK P. M.

Senate met according to adjournment.

On motion of Mr. Printup the rules were suspended and the Senate took up the following resolution, which was lost.

Resolved, That the Superintendent of the Western and Atlantic Railroad be, and he is hereby authorized and requested to charge pro rata through rates of freight on all freights passing over said road, designed for, and shipped to and from the Rome Railroad, a branch Railroad, connecting with said Western and Atlantic Railroad at Kingston.

The Senate took up the following bills of the House of Representatives, which was severally read the first time :

A bill to allow free persons of color in this State to go into voluntary slavery ; also,

A bill for the relief of David W. Lewis, of Hancock county, and for other purposes ; also,

A bill to limit the liability of Steamboat owners ; also,

A bill to appropriate money to compensate Josiah J. Anderson, for damages sustained, and for other purposes ; also,

A bill for the relief of John M. Wilhite, of the county of Jackson; also,

A bill authorizing aid to be given for slaves in certain cases mentioned; also,

A bill to appoint Commissioners, and to remove obstructions in Briar Creek, from the mouth of said creek, to Thompson's Bridge in Burke county, and for other purposes; also,

A bill for the relief of Leonard A. Simpson, of Cobb county; also,

A bill for the relief of R. D. Fairecloth, of Mitchell county; also,

A bill to incorporate the West Point Navigation company, and for other purposes; also,

A bill to alter and amend the first Article of the Constitution relative to granting corporate powers and privileges; also,

A bill to enable parties having claims against the Nashville and Chattanooga Railroad Company, in the State of Georgia, to perfect service upon said company; also,

A bill for the relief of Benjamin Williams, of the county of Harris; also,

A bill for the relief of John R. Dyer, Executor of Anthony Dyer, of Jasper county; also,

A bill to authorize George B. May, to practice medicine in the county of Murray without license; also,

A bill to point out the mode of recovery on bonds given by vagrants, in pursuance of the 22d section of the 10th division of the Penal Code; also,

A bill for the encouragement of Education; also,

A bill to provide for the better organization of the Georgia Military Institute, and for other purposes,

Mr. Fulton from the Committee appointed to examine into the condition of the business of the Senate, made the following report :

The Committee report in the Senate as follows, to-wit :

| | |
|--------------------------------|--------|
| Bills read 1st time, .. | 4 |
| Bills read 2d time, .. | 105 |
| Bills on table for present, .. | 17-122 |
| Senate resolutions, .. | 16 |
| House bills read 1st time, .. | 6 |
| House bills read 2d time, .. | 44 |
| House bills not read, .. | 17 |
| House resolutions, .. | 3 |
| House bills to be acted on, .. | 196 |
| Senate bills not acted on, .. | 95 |

Sixty-five of which are only read the 1st time.

The Committee unanimously report in favor of extending the session until Wednesday 19th inst.

Mr. Printup, Chairman of the Committee on Finance, made the following report,

The Committee on Finance beg leave to report, that they have had under consideration and examination the state and condition of the Treasury of Georgia. That upon such examination, they find a balance in the Treasury, Nov. 24 1860, of two hundred and eighty-two thousand nine hundred and sixty-one dollars and seventy-one cents, (\$282,961 71,) subject to draft.

The items composing said amount will fully appear by reference to the supplemental reports of the Comptroller General, and the Treasurer herewith presented, marked "exhibts" "A" and "B," which in their detail were found to be correct, all of which are respectfully submitted.

SUPPLEMENTAL REPORT.

Treasurer in account current with the State of Georgia, from the 21st Oct. to the 24th Nov. 1860, both days inclusive.

| 1860. | | Dr. |
|---------|--------------------------------------|------------|
| Nov. 24 | To bal. in the Tr'y. 20 Oct. 1860, | 274,820.54 |
| | “ receipts from General Tax of 1860, | 120,637.96 |
| | “ dividends on Bank Stock, | 9,909.00 |
| | “ tax on Banks, | 2,467.17 |
| | “ interest on Educational Fund, | 6,000.00 |
| | “ sale of State Bonds, | 50,000.00 |
| | “ fees from Headright Grants, | 63.00 |
| | “ “ “ Copy “ | 31.50 |
| | “ “ “ Testimonials, | 30.00 |
| | | <hr/> |
| | | 463,959.17 |
| | | <hr/> |
| | To balance brought down | 282,961.71 |
| | | <hr/> |
| | | 282,961.71 |

SUPPLEMENTAL REPORT.

Treasurer in account current with the State of Georgia, from the 21st of Oct. to the 24th of Nov. both days inclusive.

| 1860. | Cr. |
|---|--------------|
| Nov. 24. By pay't on Civil Estab'ts of 1860, | 16,081.80 |
| " do " Contingent Fund " | 4,473.27 |
| " do " Printing Fund " | 19.00 |
| " do " Overpayment 1861, | 74.23 |
| " do " Edu'n'l Fund 1860, | 67,951.00 |
| " do " stock in A. & G. R. R. | 50,000.00 |
| " do " Special appropriations, | 42,368.16 |
| " balance in the Treasury, Nov. 24th, 1860, | 282,961.71 |
| | <hr/> |
| | 463,959.17 |
| By advances to State House officers and others, | |
| No. 1, | 2,643.40 |
| " " Members of the Legislature, | |
| No. 2, | 8,623.00 |
| " " Officers and Clerks of Legis- | |
| lature, No. 3, | 978.00 |
| " " bills of freight for arms, No. 4, | 251.07 |
| By certificates of deposite, from Tax | |
| Collectors, | 15 075.00 |
| balance in Bank of Savannah, | 115,084.25 |
| " " Agency at Mill- | |
| edgeville, | 66,758.34 |
| " " Georgia R.R. Bank, | 11,448.54 |
| | <hr/> |
| | 208,366.13 |
| Deduct overdraft in Bank of the | |
| Republic, | 11,487.56 |
| | <hr/> |
| | 196,878.57 |
| By Coupons redeemed since 20th Oct. 1860, | 12,395.00 |
| " Cash Balance in Vault, | 61,192.67 |
| | <hr/> |
| | \$282,961.71 |

JOHN JONES, Treasurer.

The sub committee appointed in pursuance of a resolution of the Senate, and concurred in by the House, to visit the Deaf and Dumb Asylum at Cave Spring, Floyd county, Georgia, have in pursuance of said resolution, performed the duty reposed in them, and beg leave to submit the following report. That we found in attendance at said Institute forty mutes, twenty-one of which were males and nineteen of which are females; all of which are at public charge except seven, three of which seven are males and four of which are females; and we are happy to say that we found them all in good health, and that we also witnessed the examination of the mutes on the hearing of their regular lessons, three classes; and take pleasure in stating that we were much pleased with the examination. We were informed by the managers of the Institution, that their rules of steady work is as follows, to-wit: studying hours from 8 to 12 A. M., recess one hour, school again from 1 to 2 P. M., and then work from 2 to 5 P. M. and at night one hour's study, and on every Sabbath they have Chapel service in the morning and in the afternoon. We are informed that the sessions of the Institution commence annually on the first of September, and end on the first of July.

As to the buildings, repairs and wants of the Institution, we would suggest that there should be a Hospital building for the sick, and some additional rooms for the female mutes especially, such as dressing rooms and private rooms in cases of sickness; for at the present there are but two rooms for the whole of these females; we would also suggest, that the Institution is in need of some cheap furniture, such as wash stands and perhaps other articles of a cheap quality. In reference to additional necessary buildings, we would suggest, that for the accommodation of the present number of mutes in attendance at said Institution, that the present buildings might be made to answer, by making such alterations, arrangements and repairs, as will accomplish the desired object, and thereby save the additional expense for the present, of those extra buildings; this matter however, we submit to the discretion of the General Assembly. We herewith submit the suggestion of Mr. Cook, the Principal of the Institution. That there should be an addition added to the North end of the principal building, of sixty feet long and forty feet wide, and two stories high, and to consist of eight rooms, four above and four below. The advantages of this arrangement is, that the Steward will have accommodations for his family, with two rooms for the sick, directly opposite to their rooms, and on the second floor, rooms for the family of the Principal, and rooms for the girls, to supply the present deficiency, and that it will cost for the erection of this additional building, repairs, &c. about five thousand dollars; all of which is respectfully sub

mitted, together with a drawing representing the ground plan of the first floor of the building as it is at present, and the other representing the same with the proposed alterations, which have been furnished us by the Principal of the Institution.

| | | |
|---------------------------|---|---------------|
| E. S. GRIFFIN, of Twiggs, | } | Senate |
| JAMES M. WARE, of Polk, | | Com. |
| N. B. GREEN, of Cobb, | } | House Com. |
| T. J. WOFFORD of Cass, | | |
| J. A. STEWART, of Newton, | | |
| J. B. CASON, of Ware, | | |

The Senate took up the following bills of the House of Representatives, which were severally read the second time and referred to the committee of the whole:

A bill to pay James H. Estes a sum of money lost by him by reason of an error in the record of the State of Georgia; also,

A bill to encourage Volunteer Companies in this State, and to appropriate money for the same; also,

A bill to change the line between the counties of Merriwether and Talbot, and Appling and Ware; also,

A bill for the publication of the Code of the State of Georgia and for other purposes; also,

A bill to organize the office of Adjutant and Inspector General, of the State of Georgia.

On motion the same was made the special order for Wednesday next; also,

A bill to appropriate money for the erection of a turnpike and bridge across the Allapaha river, near Irwinville, on the road from Jacksonville, Telfair county, to the city of Albany, in Dougherty, and to build a bridge and turnpike across Spring creek in Miller county, and for other purposes.

On motion the same was made the special order for Thursday next.

The following message was received from His Excellency the Governor, by Mr. Waters his Secretary, to-wit:

Mr. President: The Governor has approved and signed the following act to-wit:

An act to change the county line between the counties of Forsyth and Milton.

An act to repeal an act entitled an act, to alter and amend the road laws of this State, so far as relates to the county of Oglethorpe, and the several counties therein named, assented to Dec. 13th 1858, so far as the same relates to the county of Colquitt.

An act to legalize the executorship of Thomas W. Anderson, and for other purposes.

An act to empower Mrs. Elizabeth Lowther, a widow of

Jones county, to appoint Americus C. B. Mitchell, of Barbour county, Alabama, and Tennent Lomax of Montgomery county, in same State, or either of them, her executors or executor, and to entitle them to have letters testamentary granted, &c.

An act to compensate officers and free holders for their services for holding the general elections and county elections, and petit jurors in the county of Emanuel.

The Senate took up as the report of the committee of the whole, a bill of the House of Representatives, to-wit :

A bill to change the fourteenth section of the thirteenth division of the Penal Code of this State.

Mr. Allred moved to indefinitely postpone the same.

Upon agreeing to which motion the yeas and nays were recorded, and were yeas 40, nays 53.

Those who voted in the affirmative are Messrs :

Allred, Briscoe, Byars, Carter of Echols, Chester, Cowen, Denham, Donaldson, Gartrell, Griffin of Twiggs, Harris of Dougherty, Hightower, Hitchcock, Hyde, Ivey, Jamison, Jones, Kirby, Lott, Maples, McKee, Moore of Laurens, Moore of Whitfield, Oliver, Poole, Printup, Riley, Ritch, Roberts, Shelton, Shellnut, Sirman, Sturges, Sweat, Usry, Walker, Ware, Whitworth, Williams of Berrien, Wilson.

Those who voted in the negative are Messrs.

Ashley, Barclay, Barrow, Batts, Billups, Bond, Brown, Burnett, Cannon, Carter of Elbert, Collier, Cooper, Cook, Cone, Davis, Delaperriere, Evans, Flewellen, Fulton, Gaston, Green, Hackett, Hart, Harvin, Hill of Troup, Hill of Wilkes, Jordan, Lawton, Lockhart, Maddox, Merrill, McGee, McLeod, Morris, Paine, Pruitt, Reid of Morgan, Reid of Taliaferro, Robinson, Rushin, Sawyer, Sheppard, Smith of Hancock, Spalding, Summerour, Tillman, Trippe, Wallace, Ward, Wellborn, White, Whitehurst, Wynne.

So the motion to postpone indefinitely was lost.

Mr. Cook moved to amend the report by inserting after the word "slaves" the words "free persons of color ;" which was agreed to.

Mr. Harris of Dougherty moved further to amend the report by striking out the word "storehouse;" which was agreed to.

Mr. Spalding moved further to amend the report by inserting after the word "shop" the words "or any house where liquor is kept," which was agreed to.

Mr. Oliver moved further to amend the report by adding after the word "employer," the word "Guardian." which was agreed to. The report as amended was agreed to.

Upon the question "shall this bill now pass?" the yeas and nays were recorded, and were yeas 39, nays 56.

Those who voted in the affirmative, are Messrs.

Alexander, Barrow, Batts, Billups, Bond, Brown, Burnett, Carter of Elbert, Cloud, Collier, Cooper, Cook, Davis, Evans, Fulton, Gaston, Green, Hill of Troup, Hill of Wilkes, Jones, Jordan, Lawton, Lockhart, Merrill, McGehee, McLeod, Morris, Pruitt, Reid of Morgan, Reid of Taliaferro, Rushin, Sawyer, Smith of Hancock, Spalding, Tillman, Wallace, Ward, White, Whitehurst

Those who voted in the negative, are Messrs.

Allred, Ashley, Barclay, Briscoe, Byars, Carter of Echols, Chester, Cowen, Delaperriere, Denham, Donaldson, Jewellen, Gartrell, Grice, Griffin of Twiggs, Hackett, Hart, Harris of Dougherty, Harvin, Hightower, Hitchcock, Hyde, Key, Jamison, Jones, Kirby, Lott, Maddox, Maples, McRuffie, McRae, Moore of Laurens, Moore of Whitfield, Oliver, Poole, Printup, Riley, Ritch, Robinson, Roberts, Shelton, Shellnut, Sirman, Snell, Sturges, Sweat, Usry, Walker, Ware, Wellborn, Whitworth, Williams of Berrien, Wilson, Wynne, Young.

So the bill was lost.

The following message was received from the House of Representatives, by Mr. Hillyer, their Clerk :

Mr. President—The House of Representatives have passed the following bill, to-wit :

"A bill to provide for the better organization of the Georgia Military Institute, and for other purposes.

They have also agreed to a resolution to prolong the present session of the Legislature until Wednesday, the 19th inst., by a constitutional majority of ayes 92 and nays 41, in which they ask the concurrence of the Senate, and I am ordered to transmit the same forthwith to this branch of the General Assembly

Mr. Cannon moved to extend the time of adjournment this evening one half hour; which was agreed.

The Senate took up as the report of the committee of the whole, a bill of the House of Representatives to change the time of holding the Superior Court of the county of Bibb. The report was agreed to, the bill was read the third time, and passed.

The Senate took up, as the report of the Committee of the Whole, a bill of the House of Representatives to regulate the liquor traffic in the county of Fannin.

The Committee on the Judiciary, to whom said bill was referred, reported against its passage.

The report was agreed to and the bill was lost.

On motion of Mr. Cannon the rules were suspended, and the Senate took up a resolution of the House of Representatives.

to extend the present session of the General Assembly to the 19th inst.

Upon agreeing to the motion to concur in the same, the yeas and nays were recorded, and were yeas 42, nays 55.

Those who voted in the affirmative are Messrs.

Alexander, Atkinson, Barclay, Batts, Briscoe, Brown, Byars,, Cannon, Carter of Echols, Carter of Elbert, Cooper, Cook, Cone, Cowen, Davis, Delaperriere, Fulton, Gartrell, Gaston, Green, Hackett, Hines, Jordan, Kirby, Merrill, McDuffie, McGehee, McLeod, Printup, Pruitt, Quillian, Reid of Taliaferro, Riley, Roberts, Shelton, Spalding, Summerour, Trippe, Wallace, Ward, Ware, Young.

Those who voted in the negative are Messrs.

Alfred, Barrow, Billups, Bond, Burnett, Chester, Cloud, Collier, Donaldson, Evans, Flewellen, Grice, Griffin of Twiggs, Hart, Harris of Dougherty, Harvin, Hightower, Hill of Troup, Hill of Wilkes, Hitchcock, Hyde, Ivey, Jamison, Jones, Lawton, Lockhart, Lott, Maddox, Maples, McRae, Moore of Laurens, Moore of Whitfield, Morris, Oliver, Poole, Reid of Morgan, Ritch, Robinson, Rushin, Sawyer, Shellnut, Sirman, Smith of Hancock, Sturges, Sweat, Tillman, Usry, Walker, Wellborn, White, Whitehurst, Whitworth, Williams of Berrien, Wilson, Wymne.

So the resolution was not concurred in.

Mr. Jordan offered the following resolution:

Resolved, That when the Senate adjourn, it adjourn to meet at 7 o'clock, P. M., to proceed with the regular business.

Mr. Wallace offered the following as an amendment to the foregoing resolution:

"That as the Senate has decided not to prolong the session, that we remain in session to-morrow, and not make the trip to Macon."

On motion of Mr. Pruitt, the Senate adjourned until 9½ o'clock Wednesday morning next.

WEDNESDAY, DECEMBER 12th, 1860.

9½ O'CLOCK, A. M.

Senate met according to adjournment, and was opened with prayer by the Rev. Mr. Flynn.

Mr. Jones moved to reconsider so much of the Journal of Monday as relates to the vote by which a bill to lay out a new county from the counties of Newton and DeKalb, was indefinitely postponed; which was agreed to.

Mr. Printup moved to reconsider so much of the Journal of Monday as relates to the vote by which a Resolution regulating freight on the Western & Atlantic Rail Road was lost; which was lost.

Mr. Harris of Worth moved to reconsider so much of the Journal of Monday as relates to the vote by which a Resolution of the House of Representatives, extending the present Session of the General Assembly, was lost; which was agreed to.

The Senate took up as the report of the Committee of the Whole, the Special Order, which was a bill of the House of Representatives, to organize the office of Adjutant and Inspector General of the State of Georgia.

Mr. Lawton moved to amend the report by striking out the word "execution" and inserting the word "executive;" which was agreed to.

Mr. Lawton moved further to amend the report by striking out, when it occurs the second time, the words "with the advice and consent of two thirds of the Senate;" which was agreed to.

Mr. Jones moved further to amend the report by striking out the words "three thousand" and inserting "twenty-five hundred," upon agreeing to which motion, the yeas and nays were recorded, and were yeas 49, nays 49.

Those who voted in the affirmative are Messrs. :

Alexander, Allred, Batts, Bond, Brown, Carter of Echols, Cloud, Cook, Cowen, Davis, Denham, Gartrell, Glover, Green, Grice, Harris of Dougherty, Hill of Wilkes, Hines, Hitchcock, Holt, Hood, Hyde, Ivey, Jamison, Jones, Kirky, Lockhart, Maddox, Maples, McRae, Poole, Reid of Taliaferro, Riley, Ritch, Rushin, Shellnut, Shepard, Snell, Sweat, Tarver, Tillman, Walker, Ware, Wells, White, Whitworth, Williams of Berrien, Williams of Rabun, Wilson.

Those who voted in the negative are Messrs. :

Ashley, Atkinson, Barclay, Barrow, Bartlett, Boggs, Briscoe, Burnett, Byars, Cannon, Carter of Elbert, Collier, Cooper, Cone, Delaperriere, Donaldson, Evans, Ferrill, Flewellen, Hackett, Hart, Harris of Worth, Harvin, Johnson of Cass, King, Lawton, Lott, Merrill, McGehee, McLeod, Moore of Whitfield, Oliver, Paine, Printup, Pruitt, Reid of Morgan, Robinson, Roberts, Sawyer,

Shelton, Smith of Hancock, Spalding, Sturges, Summerour, Turner, Tracy, Usry, Wellborn, Wynne.

There being a tie, the President of the Senate voted in the negative, and the motion was lost.

Mr. Alexander moved further to amend the report by inserting after the words "three thousand dollars," the words, "to be paid out of the million of dollars already appropriated for the defence of the State, until otherwise directed by the Legislature."

Mr. Oliver moved to amend the amendment by the following proviso: "Provided, That there shall be a sufficient amount of said million of dollars unexpended, for the same;" which was lost.

The question recurring upon agreeing to the amendment offered by Mr. Alexander, the yeas and nays were recorded, and were yeas 38, nays 59.

Those who voted in the affirmative, were Messrs:

Alexander, Allred, Billups, Bond, Briscoe, Brown Cloud, Cook, Davis, Denham, Grice, Hines, Holt, Hood, Hyde, Ivey, Jones, Maddox, Maples, McRea, Poole, Quillian, Reid of Taliaferro, Riley, Ritch, Rushin, Shelton, Shellnut, Shepard, Sirman, Tarver, Walker, Ware, Wells, White, Whitworth, Williams of Berrien, Williams of Rabun.

Those who voted in the negative were Messrs:

Atkinson, Barclay, Barrow, Batts, Boggs, Burnett, Byars, Cannon, Carter of Elbert, Collier, Cone, Delaperriere, Donaldson, Evans, Ferrill, Flewellen, Gartrell, Glover, Green, Hackett, Hart, Harris of Dougherty, Harris of Worth, Harvin, Hightower, Hill of Wilkes, Hitchcock, Johnson of Cass, Jordan, King, Kirby, Lamar, Lawton, Lockhart, Lott, Merrill, McGehee, McLeod, Moore of Whitfield, Oliver, Paine, Pruitt, Robinson, Roberts, Sawyer, Smith of Hancock, Snell, Spalding, Sturges, Summerour, Sweat, Tillman, Turner, Tracy, Usry, Wellborn, Wilson, Wynne, Young.

So the amendment was lost.

Mr. Hyde moved further to amend the report by striking out the words "three thousand" and inserting "twenty-six hundred;" which was lost.

The report as amended was agreed to.

Upon the question "shall this bill now pass?" the yeas and nays were recorded, and were yeas 66, nays 38.

Those who voted in the affirmative were Messrs:

Ashley, Atkinson, Barclay, Barrow, Bartlett, Batts,

Boggs, Briscoe, Burnett, Byars, Cannon, Carter of Elbert, Collier, Cone, Cowen, Delaperriere, Donaldson, Evans, Ferrill, Flewellen, Gartrell, Gaston, Glover, Green, Grice, Hackett, Hart, Harris of Dougherty, Harris of Worth, Harvin, Hightower, Hill of Wilkes, Hitchcock, Johnson of Cass, Jordon, King, Kirby, Lamar, Lawton, Lott, Merrill, McGehee, McLeod, Moore of Whitfield, Oliver, Princtup, Pruitt, Robinson, Roberts, Sawyer, Shelton, Shellnut, Smith of Hancock, Spalding, Sturges, Summerour, Tillman, Turner, Tracy, Usry, Wellborn, White, Williams of Berrien, Wilson, Wynne, Young.

Those who voted in the negative were Messrs :

Alexander, Allred, Billups, Bond, Brown, Carter of Echols, Cloud, Cook, Davis, Denham, Hines, Holt, Hood, Hyde, Ivey, Jamison, Jones, Lockhart, Maddox, Maples, McRae, Paine, Poole, Quillian, Reid of Taliaferro, Riley, Ritch, Rushin, Sheppard, Sirman, Snell, Sweet, Tarver, Walker, Ware, Wells, Whitworth, Williams of Rabun.

So the bill was passed.

On motion, the rules were suspended, and Mr. Smith of Hancock offered the following Resolution, which was taken up, read, and agreed to :

Resolved, That a seat on the floor of the Senate is hereby tendered to Hon. R. R. Cuyler.

Leave of absence was granted Mr. Harvin, after Thursday next, for the balance of the Session, on important business.

Leave of absence was granted _____ for a few days, on special business.

Leave of absence was granted Mr. Wallace for to-day.

Senate took up as the report of the Committee of the Whole, a bill to provide a mode by which the Ordinaries may compel the more speedy distribution and settlement of Estates in the hands of Executors, Administrators, and Guardians.

The committee on the Judiciary, to whom said bill was referred, reported against its passage

The report was agreed to, and the bill was lost.

Mr. Cone offered the following Resolution, which was read :

Resolved, That no Senator be allowed to speak on any subject that may come before the Senate for consideration, longer than five minutes, unless by a two-thirds vote of the Senate, otherwise permitted.

Mr. McGehee introduced a bill to authorize Justices of the Inferior Court to appropriate the poor school fund, for the purchase of food for the poor for the year 1861 ; which was read the first time.

The following message was received from his Excellency the Governor, by Mr. Waters, his Secretary, to-wit :

*Mr. President :—*The Governor has approved and signed the following Acts, to-wit :

An Act to postpone the operation of an Act to regulate the Agencies of foreign Insurance Companies, and to provide for the appointment of an Insurance Commissioner. Assented to Dec. 12th, 1859.

An Act to repeal an Act so far as relates to taxing cattle of non-residents five cents per head above the cattle of residents of the county of Irwin ; Assented to Dec. 3, 19th, 1859.

Senate took up as the report of the committee of the whole, a bill to amend the twelfth section of the thirteenth division of the Penal Code.

The report was agreed to.

Upon the question "shall this bill now now pass?" the yeas and nays were recorded, and were yeas 56, nays 29.

Those who voted in the affirmative, were Messrs :

Alexander, Allred, Barrow, Billups, Boggs, Bond, Burnett, Byars, Carter of Elbert, Cloud, Collier, Cooper, Cook, Cone, Davis, Evans, Ferrill, Flewellen, Gaston, Green, Hart, Harris of Dougherty, Harris of Worth, Harvin, Hines, Holt, Hood, Hyde, Johnson of Cass, Jones, Jordan, Merrill, McRae, Moore of Whitfield, Oliver, Quillian, Reid of Taliaferro, Ritch, Robinson, Roberts, Rushin, Sawyer, Shelton, Shellnut, Smith of Hancock, Summerour, Sweat, Tillman, Turner, Tracy, White, Whitworth, Williams of Berrien, Williams of Rabun, Wynne, Young.

Those who voted in the negative were Messrs :

Batts, Brown, Delaperriere, Denham, Donaldson, Gartrell, Glover, Grice, Hightower, Hill of Wilkes, Hitchcock, Jamison, Kirby, Lamar, Lockhart, Lott, Maddox, Maples, Pruitt, Sheppard, Sirman, Snell, Sturges, Tarver, Usry, Walker, Ware, Wellborn, Wilson.

So the bill was passed.

Senate took up as the report of the committee of the whole, a bill to amend an act to authorize Judges of the Superior Courts of this State to appoint receivers during vacation, and for other purposes.

On motion the same was indefinitely postponed.

Senate took up as the report of the committee of the whole, a bill to authorize the levy and sale of Judgments and Executions of non-residents of this State.

On motion the same was indefinitely postponed.

Senate took up as the report of the committee of the whole, a bill for the relief of securities upon the bonds of substituted Trustees, and for other purposes.

The report was agreed to. The bill was read the third time and passed.

Senate took up as the report of the committee of the whole, a bill amendatory of an Act to amend the Patrol Laws of this State, approved February 20th 1854, so far as relates to the county of Effingham.

The report was agreed to. The bill was read the third time and passed.

Senate took up as the report of the committee of the whole, a bill to prevent the obstruction of the waters of Notley River, in the county of Union.

The report was agreed to. The bill was read the third time and passed.

The following message was received from the House of Representatives, by Mr. Hillyer, their Clerk:

Mr. President:—The House of Representatives have passed the following bills:

• A bill to change the lines between the counties of Randolph and Calhoun, Early and Miller, Stewart and Quitman, Wilcox and Telfair, Dooly and Pulaski, Gilmer and Fannin, Lumpkin and White, and for other purposes.

• A bill to regulate the sale of spirituous liquors within the corporate limits of the town of Hartwell, and for other purposes therein mentioned.

• A bill to incorporate the Rock Factory, in Warren county, and to confer certain privileges upon the same.

• A bill to compel joint contractors to contribute and respond to their liabilities, at common law, in the cases in said Act stated.

• A bill to authorize the Ordinaries of DeKalb, Madison, Newton, Murray, Macon, Webster, Hart, Spalding, Union, Lumpkin and Walker counties to pay certain accounts herein named for teaching poor children in said counties, and to make the militia districts in Johnson county school districts, and to require the Ordinaries of said counties to apportion the school fund, and also to prescribe the mode of apportioning the school fund in the county of Madison, in this State, and for other purposes.

• A bill amendatory of an Act entitled An Act to lay out and organize a new county from the counties of Habersham

and Franklin, and for other purposes, assented to December 11th, 1858, and to define one of the lines between the counties of Habersham and Banks.

A bill to consolidate the offices of Clerk of the Superior and Inferior Courts of the counties of Randolph and Harris, and for other purposes.

A bill to alter and change the lines between the counties of Coffee and Clinch.

A bill to change the time of holding the Superior Courts of the counties of Montgomery and Bulloch.

A bill to incorporate and confer certain powers and privileges upon volunteer companies in the counties of Greene and Wilkes, to extend the same privileges to certain companies therein named, and to any companies which now exist, or which may be hereafter formed, in certain counties therein named, and for other purposes.

A bill to authorize the Inferior Court of the county of Johnson to levy an extra tax to pay petit-jurors; also to authorize the Inferior Court of Catoosa county to levy an extra tax, and to consolidate the offices of Tax Collector and Receiver of said county; also to extend the provisions of an Act, approved December 20th, 1859, authorizing the Inferior Court of the county of Muscogee to levy and collect an extra tax for building a jail in said county; and also to repeal an Act entitled An Act to compensate Grand Jurors, in the county of Lumpkin; and also to prescribe the manner in which the county-tax shall be assessed in the county of Screven; and to provide for the abolition of jury fees; and for other purposes.

A bill for the relief of James McCrary, Samuel B. Saxon, William Nix, Bluford L. Dyer, and William J. Hood, of the county of Union.

A bill to enable and authorize the Trustees of the Male and Female Academies in Milledgeville to convey land to the State, and to re-invest the value.

A bill to authorize the Governor of Georgia to redeem certain bonds of the Western & Atlantic Rail Road, and for other purposes therein mentioned.

A bill to give the owners of livery stables a *lien*, in certain cases, and to provide for the enforcement of the same, and for other purposes.

A bill to prohibit the killing of deer in the county of Emanuel, in certain seasons of the year.

A bill to permit and enable Emeline Cole, a free person of color, to go into voluntary servitude, and to carry with her her two children; also Emeline Pearce, a free woman of color, of Greene county.

A bill to require Justices of the Peace, in the counties

of Appling and Glynn to take receipts for all executions and other papers placed in the hands of the constables of their respective districts, and for other purposes.

A bill to partially repeal the operation of an Act to levy a tax on all goods peddled in this State by sample, or otherwise, by itinerant drummers or other persons, and for other purposes, assented to Dec. 15th, 1859.

A bill to require certain services of free persons of color in the county of Lincoln.

A bill to incorporate the Walker County Agricultural Society.

A bill for the relief of C. D. Crittenden, of the county of Schley.

A bill to authorize married women to deposit money in any savings bank or institution now chartered, or which may hereafter be chartered by this State, and for other purposes therein mentioned.

A bill to prevent the owners of slaves, in the county of Hancock, from keeping any number of slaves on any lot or tract of land which is separate and apart from the premises occupied by the owner, without the residence on said land of some white man.

A bill to authorize the several school commissioners in the county of Pickens to establish additional schools, and to relieve them from purchasing the lands upon which the school-houses may be located, and for other purposes.

A bill to change the mode and manner of disbursing the common school fund of the county of Rabun.

A bill for the relief of John B. Miller, of the county of Glynn.

A bill to allow the Sheriff of the county of Walton certain fees for services therein mentioned, and for other purposes.

A bill to repeal the first and second sections of an Act of the 19th of December, 1859, relative to defaulters for taxes, and to provide for the relief of said defaulters, in certain cases, and to tax certain articles.

A bill to compensate superintendents of elections in the county of Wilcox.

A bill to make penal the firing and burning of woods in the county of Colquitt.

A bill in relation to the road laws in the county of Lumpkin.

A bill to amend an Act entitled An Act to lay out and organize a new county from the counties of Cherokee, Cobb and Forsyth, and for other purposes therein specified, approved December 18th, 1857, and for other purposes.

A bill to amend the first section of an Act to assess a tax on all persons exhibiting shows of different descriptions in the counties of Coweta, Merriwether, Gwinnett and Union, in this State, and for other purposes, approved Dec. 26th, 1835, so far as the county of Liberty is concerned.

A bill to provide for the subjection to levy and sale of all the corporate franchises of all Rail Road Companies in this State, under judgment and execution at common law.

A bill to amend and explain the fifth section of an amendatory Act on Public Education, assented to 21st December, 1859, and for other purposes.

A bill to regulate toll-bridges, ferries and turnpike roads, approved the 17th of December, 1859, so as to give the informer one-half of the fine imposed upon the party or parties found guilty of violating said Act.

A bill for the navigation of Beard's Creek, in the county of Tattnall, and for the removal of obstructions in the same.

The House have also passed the following bill of the Senate:

A bill to provide for the removal of the public buildings of the county of Clinch, and for other purposes.

The House have also passed the following bill of the Senate, with an amendment thereto, in which they ask the concurrence of this branch of the General Assembly:

A bill to authorize the Justices of the Inferior Court of the county of Lumpkin, or a majority of them, to levy an additional tax for the purpose of repairing the court-house of said county, and for other purposes.

The House have also concurred in the amendment of the Senate to the bill of the House to organize the office of Adjutant and Inspector General of the State of Georgia.

The Senate took up, as the report of the Committee of the whole, a bill to amend an act to incorporate the town of Carnesville in the county of Franklin.

Mr. Merrill moved to amend the report by adding an additional section amendatory of the several acts incorporating the town of Carrollton, which was agreed to.

Mr. Hackett moved further to amend the report by adding an additional section amendatory of the act incorporating the town of Ringgold, which was agreed to.

The report as amended was agreed to, the bill was read the third time and passed.

The Senate took up as the report of the Committee of the whole a bill to change the line between the counties of Clayton and Fulton.

On motion the same was indefinitely postponed.

The Senate took up as the report of the committee of the whole, a bill to incorporate the American Agency company.

On motion the same was indefinitely postponed.

Leave of absence was granted Mr. McDuffie this day on special business.

Leave of absence was granted Mr. Tillman after Friday next on special business.

The Senate took up, as the report of the Committee of the whole, a bill to amend the fourth division of the Penal Code of this State.

The committee on the Judiciary, to whom said bill was referred, offered the following as a substitute in lieu of the original bill :

A bill to amend and add to the fourth division of the Penal Code, and for other purposes therein mentioned.

Mr. Sturges moved further to amend the report by adding in the 4th section " or by imprisonment and hard labor, in the Penitentiary for a term not less than five years at the discretion of the Judge," which was agreed to.

The report as amended was agreed to, the bill was read the third time and passed.

The hour of adjournment having arrived, the President adjourned the Senate until 3 o'clock, P. M.

THREE O'CLOCK, P. M.

The Senate met according to adjournment.

On motion of Mr. Riley the rules were suspended, and the Senate took up the following bill, which had been amended in the House of Representatives, to-wit :

A bill to authorize the Justices of the Inferior Court of Lumpkin county, to levy an additional tax for the purpose of repairing the Court House of said county, and for other purposes.

On motion the amendment was concurred in.

The Senate took up as the report of the committee of the whole, a bill to authorize the Clerks of the Superior and Inferior Courts and Justices of the Peace of this State to issue ca. sas in certain cases.

On motion the same was indefinitely postponed.

The Senate took up as the report of the committee of the

whole, a bill to authorize Justices of the Peace in Mitchell county, to appoint Patrol Commissioners for said county.

The report was agreed to, the bill was read the third time and passed.

The Senate took up as the report of the committee of the whole, a bill to amend an act to regulate the freight of lime on the Western and Atlantic Railroad, so as to require said Railroad, to transport lime for agricultural purposes in bulk.

The report was agreed to, the bill was read the third time and passed.

The Senate took up as the report of the committee of the whole, a bill to authorize the Ordinary of Chattooga county to pay poor school account of John A. Rose and John Hammonds of said county.

Mr. Trippe moved to amend the report by adding an additional section, authorizing the Ordinary of Monroe county to pay the poor school account of L. W. Jarrell; which was agreed to.

The report as amended was agreed to, the bill was read the third time and passed.

The Senate took up the following engrossed bill to-wit :

A bill to transfer all suits from the Superior Court of the county of Heard, in which B. H. Wright is defendant, and all papers appertaining to the same, to the Superior Court of the county of Carroll.

The bill was read the third time and lost.

The Senate took up as the report of the Committee of the whole, a bill to add an additional section to the 13th division of the Penal Code.

The committee on the Judiciary to whom said bill was referred, offered the following amendment, "without by the consent of the owner, employer or guardian of slave or free person of color, which consent shall not be presumed;" which was agreed to.

Mr. Harris, of Dougherty, moved further to amend the report by striking out in the first section the following words, "or shall otherwise furnish the same to such slave or free person of color, such person or persons so offending," which was agreed to.

Mr. Gartrell moved further to amend the report by inserting after the word, "sell," the words "or furnish," which was agreed to.

Mr. Paine moved further to amend the report by adding a proviso to said bill, which was agreed to.

The report as amended was agreed to, the bill was read the third time and passed.

Mr. Harris, of Dougherty from the committee on enrollment reports as duly enrolled, and signed by the Speak-

er of the House of Representatives, and ready for the signature of the President of the Senate, the following bills, to-wit :

An act to organize the office of Inspector and Adjutant General of this State ; also,

An act the better to regulate the liquor traffic in the counties of Taliaferro, Greene, Washington and Henry ; also,

An act to change the time of holding the Superior Courts of the county of Bibb.

The Senate took up as the report of the committee of the whole, a bill for the relief of Origin A. V. Rose and Mary M. Wallace, formerly Mary M. Mitchell, of Pulaski county.

The report was agreed to. The bill was read the third time and passed.

The Senate took up, as the report of the Committee of the whole, a bill to authorize the Dalton and Jacksonville Railroad company to extend their line to the North Carolina line, and for other purposes.

Mr. Moore of Whitfield moved to amend the report by adding an additional section, consolidating the stock of the Dalton and Jacksonville Railroad company, with the Georgia and Alabama, Railroad company ; which was agreed to.

The report as amended was agreed to, the bill was read the third time and passed.

The Senate took up, as the report of the Committee of the whole, a bill to provide by law for the permanent distribution of the school fund, to which the county of Whitfield may be entitled, and for other purposes.

The report was agreed to, the bill was read the third time and passed.

The Senate took up, as the report of the Committee of the whole, a bill to compel persons owning five thousand or more acres of land in the counties of Telfair and Montgomery, to give the same in, and pay taxes for the same in the county where the land lies.

Mr. Tarver moved to amend the report by extending the provisions to each county in the State, and amending the caption to conform thereto ; which was agreed to.

The report as amended was agreed to, the bill was read the third time and passed.

Mr. Harris of Dougherty, from the committee on enrollment, reported as duly enrolled and ready for the signature of the President of the Senate, the following bill :

A bill to be entitled an act to provide for the removal of the site of the public buildings of the county of Clinch, from Magnolia in said county, to station No. 11, on the Atlantic

and Gulf Railroad in said county of Clinch, and for other purposes.

Mr. Printup from the Committee on Finance, made the following report, to-wit :

The Committee on Finance to whom was referred, a bill to incorporate the European and Southern direct Navigation company of Georgia, have had the same under consideration, and report a substitute therefor and recommend its passage.

Leave of absence was granted Mr. Sirman on account of indisposition.

The following message was received from His Excellency the Governor, by Mr. Campbell, his Secretary, to-wit :

Mr. President : I am directed by the Governor to deliver to the Senate a communication in writing, relating to the organizing the office of Adjutant and Inspector General of the State of Georgia.

Mr. Collier moved that when the Senate adjourn, it adjourn to meet again at 7 o'clock, P. M., for the purpose of reading bills the first and second time ; which was agreed to.

The Senate took up as the report of the committee of the whole, a bill to incorporate the European and Southern direct trade and steam Navigation company of Georgia.

The Committee on Finance to whom said bill was referred, offered the following as a substitute in lieu of the original bill :

A bill to incorporate the Belgian American company for the development of direct trade with the Southern States of the United States, and to grant the right of domicile to said company, and for other purposes therein specified.

Pending the consideration of which, the hour of adjournment having arrived, the President adjourned the Senate until 7 o'clock, P. M.

SEVEN O'CLOCK, P. M.

Senate met according to adjournment.

On motion of Mr. Cone, the following communication, from his Excellency the Governor, was taken up and read:

EXECUTIVE DEPARTMENT, }

Milledgeville, Georgia, Dec. 12th, 1860. }

To the Senate :

In accordance with the provisions of an Act this day passed, entitled "An Act to organize the office of Adjutant and Inspector General of the State of Georgia," I hereby

noumimate, and propose by and with the advice and consent of the Senate, to appointment, Maj. Henry C. Wayne, now of the United States Army, who is a native Georgian, to fill the office of Adjutant General of the State of Georgia.

JOSEPH E. BROWN.

Mr. Brown offered the following Resolution, which was read:

Resolved, That no leave of absence will be granted by this body to any member, unless for sickness of himself or some member of his family, and that absence for any other cause shall forfeit his per diem; it shall be the duty of the auditing committee to enforce this rule in the auditing of the several accounts of the members of this body.

Senate took up the following bills of the House of Representatives, which were severally read the second time and referred to the committee of the whole:

A bill to appropriate money to compensate the widow and children of David Harrison, late of Cobb county, for damages sustained by them by reason of the killing of the said David Harrison, whilst in the employment of the Western & Atlantic Rail Road. Also,

A bill for the encouragement of Education. Also,

A bill to point out the mode of recovering on bonds given by vagrants, in pursuance of the twenty-second section of the tenth division of Penal Code. Also,

A bill to authorize George B. May to practice medicine in the county of Murray, without license. Also,

A bill for the relief Benjamin Williams, of the county of Harris. Also,

A bill to alter and amend the first article of the Constitution, relative to granting corporate powers and privileges. Also,

A bill to enable parties having claims against the Nashville & Chattanooga Rail Road Company, in the State of Georgia, to perfect service upon said Company, and for other purposes. Also,

A bill for the relief of R. D. Fairecloth, of Mitchell county and for other purposes. Also,

A bill for the relief of John R. Dyer, executor of Anthony Dyer, of Jasper county, deceased. Also,

A bill to incorporate the West Point and Franklin Navigation Company, to clear out and improve the navigation of the Chottahoochee River, from the city of West Point, Georgia, to Cambellton, Georgia, and for other purposes therein mentioned. Also,

A bill to limit the liabilities of Steamboat owners. Also,

A bill to appropriate money to compensate Josiah J. Anderson for damages sustained as therein set forth, and for other purposes. Also,

A bill for the relief of John M. Wilhite, of the county of Jackson. Also,

A bill to authorize his Excellency the Governor to draw his warrant on the Treasurer in favor of Leonard A. Simpson, of the county of Cobb, for a sum therein named, for extra work done and materials furnished by him in the erection of a Laboratory building of the Georgia Military Institute. Also,

A bill to provide for the better organization of the Georgia Military Institute, and for other purposes. Also,

A bill to allow free persons of color in this State to go into voluntary slavery, and for other purposes therein named. Also.

A bill for the relief of David W. Lewis, of the county of Hancock, and to authorize John Gardner, of Wilkinson county, executor of the last will and testament of Harriet Smith, late of Houston county, deceased, to take the legacy devised in said will to the heirs of Lewis Gardner, deceased, to the residence of said heirs in the State of Arkansas, for the purpose of paying the same to said heirs or their representatives.

Senate took up the following bill of the House of Representatives, which was read the second time, and referred to the committee on the Judiciary:

A bill authorizing bail to be given for slaves in certain cases mentioned.

Senate took up the following bill of the House of Representatives:

A bill to appropriate money to the Cotton Planter's Convention, and for other purposes.

On motion, the same was referred to the Committee on Agriculture.

The following message was received from the House of Representatives, by Mr. Hillver, their Clerk:

Mr. President:—The House of Representatives have passed the following bills:

A bill to alter and change the county line between the counties of Glascock and Jefferson, and for other purposes.

A bill to prevent the obstruction of Water Courses, the muddying of Lakes, Ponds, or Streams, seining therein, poisoning, or otherwise destroying fish in the same, and for other purposes.

A bill to make legal and valid the sales of Sheriffs heretofore made, in all cases where the property sold has been legally advertised by such Sheriff or Sheriffs, notwithstanding the Constable levying upon and returning the same may not have complied with the Law now of force in relation to giving Bond, &c.

A bill to appoint a Board of Commissioners for the Bar of St. Simons and Turtle Rivers, and for other purposes.

A bill to authorize the Clerk of the Superior Court and Ordinary of the county of Harris to appoint such persons as they deem competent to manage elections at each precinct in said county.

A bill to authorize the appointment of an appraiser or appraisers to assess the value of the right of way and of the timber and material taken by any Rail Road Company in this State, when such Rail Road Company shall fail or refuse to appoint the same, and for other purposes therein mentioned.

A bill to amend an act to constitute the town of Cuthbert, in Randolph county, a city, to provide for the election of officers, define the powers of the several officers of said city as well as said corporation, to extend the limits of Cuthbert, and for other purposes, approved 19th Dec. 1859.

A bill to relieve any and all persons living and residing in the disputed territory between the counties of Early and Miller of any and all taxes levied upon them by the county of Early for the year 1860; *Provided*, That they have paid their tax in the county of Miller.

A bill to authorize the formation of two Fire Companies in the city of Albany, to be called the Albany Hook and Ladder Company No. 1, and the Albany Fire Engine Company No. 1.

A bill to incorporate the town of Nebraska in the county of Banks, and for other purposes.

A bill to amend an Act approved December 19th, 1859, incorporating the Lumpkin Law School, and to incorporate the Evangelical Lutheran Synod of the State of Georgia.

A bill to extend the corporate limits of the town of Lafayette, in Walker county.

A bill for the relief of Reuben Cloud, of Decatur county.

A bill for the relief of Mitchell Fountain and Lemuel Lavender, securities of James Myers, of the county of Wilkinson.

A bill to authorize Mark A. Harden, to sell certain property therein named, to make titles thereto; to enable Mary A. Graham, administratrix of John Graham, deceased, to sell at private sale the real property of said estate, and for other purposes.

A bill to regulate the practice of Physic, in the county of Elbert, and for other purposes.

A bill to regulate the sale and retail of spirituous liquors in the county of Richmond.

A bill to authorize the Mayor and Council of the city of Macon to subscribe for stock of organized Rail Road Com-

panies in this State, and to provide for the payment of the same.

A bill to amend an act to incorporate the town of Brunswick, in the county of Glynn, to define its jurisdictional limit, to provide for the election of Mayor and city Council, and such other officers as may be required, and to confer upon them specific powers, and for other purposes therein mentioned.

The House have passed the following bill over the veto of his Excellency the Governor, by a Constitutional majority of ayes 55, to nays 33.

A bill to incorporate the St. Mary's Volunteers, a Company of Infantry in the city of St. Mary's, in Camden county, and State of Georgia, and to authorize the Governor to furnish suitable arms and equipments for the use of said Company.

They have also passed the following bill over the veto of his Excellency the Governor, by a Constitutional majority of ayes 110, and nays 7:

A bill to appoint three trustees for the Georgia Institution for the Deaf and Dumb, and for other purposes.

I am directed to transmit the same forthwith to this branch of the General Assembly.

Senate took up the following bills of the House of Representatives, which were severally read the first time:

A bill to consolidate the offices of Clerk of the Superior and Inferior Courts of the counties of Randolph and Harris, and for other purposes. Also,

A bill to change the times of holding the Superior Courts in the counties of Montgomery and Bulloch. Also,

A bill to regulate the sale of spirituous liquors within the corporate limits of the town of Hartwell, and for other purposes therein mentioned. Also,

A bill to permit and enable Emeline Cole, a free woman of color, to go into voluntary servitude, and to carry with her her two children, also Emeline Pearce, a free woman of color of Greene county. Also,

A bill to incorporate the Rock Factory in Warren county, and to confer certain privileges on the same. Also,

A bill to change the line between the counties of Randolph and Calhoun, Early and Miller, Stewart and Quitman, Wilcox and Telfair, Dooly and Pulaski, Gilmer and Faunin, Lumpkin and White, and for other purposes.—Also,

A bill to amend an act to lay out and organize a new county from the counties of Habersham and Franklin, and

for other purposes, assented to Dec. 11th, 1858, and to define one of the lines between the counties of Habersham and Banks. Also,

A bill to authorize the Ordinaries of DeKalb, Madison, Newton, Murray, Macon, Webster, Hart, Spalding, Union, Lumpkin, and Walker, to pay certain accounts herein named, for teaching poor children in said counties, and to make the Militia districts in Johnson county, school districts, and to require the Ordinaries of said counties to apportion the school fund, and also to prescribe the mode of apportioning the school fund in the county of Madison, in this State, and for other purposes. Also,

A bill to compel joint contractors to contribute and respond to their liabilities at common law, in the cases in said act stated. Also,

A bill to enable and authorize the Trustees of the Male and Female Academies in Milledgeville to convey land to the State, and to reinvest the value. Also,

A bill for the relief of James McCrairy, Samuel B. Saxon, William Nix, Bluford L. Dyer, and William J. Hood, of the county of Union. Also,

A bill to prohibit the killing of deer, in the county of Emanuel, in certain seasons of the year. Also,

A bill to alter and change the line between the counties of Coffee and Clinch. Also,

A bill to give the owners of Livery Stables, a lien in certain cases, to provide for the enforcement of the same, and for other purposes. Also,

A bill to incorporate the Walker County Agricultural Society. Also,

A bill to require certain service of free persons of color, in the county of Lincoln. Also,

A bill to require Justices of the Peace in the counties of Appling and Glynn, to take receipts for all executions and other papers placed in the hands of the Constables of their respective districts, and for other purposes. Also,

A bill to authorize the Governor of Georgia to redeem certain bonds of the Western & Atlantic Rail Road, and for other purposes therein mentioned. Also,

A bill to partially repeal the operation of an Act to levy a tax on all goods peddled in this State, by sample or otherwise, by itinerant drummers or other persons, and for other purposes, assented to December the 15th, 1859. Also,

A bill to incorporate and confer certain privileges upon certain Volunteer Companies in the counties of Green and Wilkes, to extend the same privileges to certain Companies therein named, and to any Companies which now exist or may hereafter be formed in certain counties therein named, and for other purposes. Also,

A bill to amend the first section of an Act to assess a tax

on all persons exhibiting shows of the different descriptions in the counties of Coweta, Merriwether, Gwinnett and Union, in this State, and for other purposes therein named, approved December the 26th, 1835, so far as the county of Liberty is concerned.

A bill for the relief of John B. Miller, of Glynn county; also,

A bill in relation to the road laws in the county of Lumpkin; also,

A bill to incorporate the town of Nebraska, in the county of Banks, and for other purposes; also,

A bill to regulate the sale and retail of spirituous liquors in the county of Richmond; also,

A bill to provide for the retail of spirituous liquors in the counties of Franklin and Hart, and for other purposes; also,

A bill to extend the corporate limits of the town of Lafayette, in Walker county; also,

A bill for the relief of Reuben Cloud, of Decatur county; also,

A bill to regulate the practice of physic in the county of Elbert, and for other purposes; also,

A bill for the relief of Mitchell Fountain and Samuel Lavender, securities of James Myers, of the county of Wilkinson; also,

A bill to authorize Mark A. Harden to sell certain property therein named, to make titles thereto to enable Mary A. Graham, administratrix of John Graham, deceased, to sell at private sale the real property of said estate, and for other purposes; also,

A bill to authorize the Mayor and Council of the city of Macon to subscribe for the stock of organized Rail Road Companies in this State, and to provide for the payment of the same; also,

A bill to authorize married women to deposit money in any Savings Bank or Institution now chartered, or which may hereafter be chartered by this State, and for other purposes therein mentioned; also,

A bill to authorize the several school Commissioners in the county of Pickens to establish additional schools, and relieve them from purchasing the lands upon which the school houses may be located, and for other purposes; also,

A bill to authorize the Inferior Court of the county of Johnson, to levy an extra tax to pay Petit Jurors; also,

To authorize the Inferior Court of Catoosa county to levy an extra tax, and to consolidate the offices of Tax Collector and Receiver of said county; also,

To extend the provisions of an Act approved December 20th, 1859, authorizing the Inferior Court of the county of

Muscogee to levy and collect an extra tax for building a jail in said county, and also,

To repeal an act to compensate Grand Jurors in the county of Sumter, and also,

To prescribe the manner in which the county tax shall be assessed, in the county of Screven, and provide for the abolition of jury fees, and for other purposes; also,

A bill for the relief of C. D. Crittenden, of the county of Schley; also,

A bill to be entitled an act to amend an act entitled an act to lay out and organize a new county from the counties of Cherokee, Cobb and Forsyth, and for other purposes therein specified, approved December 18th, 1857 and for other purposes; also,

A bill to make penal the firing and burning the woods in the county of Colquitt; also,

A bill to be entitled an act to prevent the owners of slaves in the county of Hancock from keeping any number of slaves on any lot or tract of land which is separate and apart from the premises occupied by the owner without the residence on said land of some white man; also,

A bill to amend an act entitled an act to incorporate the town of Brunswick, in the county of Glynn, to define its jurisdictional limits, to provide for the election of Mayor and city council, and such other officers as may be required, and confer upon them specific powers, and for other purposes therein mentioned; also,

A bill to be entitled an act to repeal the 1st and 2d sections of an act of the 17th December, 1859, relative to defaulters for taxes, and to provide for the relief of said defaulters in certain cases, and to tax certain articles; also,

A bill to be entitled an act to allow the Sheriff of the county of Walton certain fees for services therein mentioned, and for other purposes; also,

A bill to be entitled an act to authorize the formation of two fire-companies in the city of Albany, to be called the Albany Hook and Ladder Company No. 1, and the Albany fire engine Company No. 1; also,

A bill to be entitled an act to change the mode and manner of distributing the common school fund for the county of Rabun; also,

A bill to compensate superintendants of elections in the county of Wilcox; also,

A bill to make legal and valid the sales of Sheriffs heretofore made in all cases when the property sold has been legally advertised by such Sheriff or Sheriffs, notwithstanding the Constable levying upon and selling the same may not have complied with the law in giving bond; also,

A bill to relieve any and all persons living and residing in the disputed territory between the counties of Early and

Miller of any and all taxes levied upon them by the county of Early for the year 1860, provided that they have paid their taxes in the county of Miller; also,

A bill to provide for the subjection to levy and sale of all the corporate franchises of all Rail Road companies in this State under judgment and execution at common law; also,

A bill to amend an act entitled an act to regulate toll bridges, ferries, and turn-pike roads, approved the 17th December, 1859, so as to give the informer one half of the fine imposed upon the party or parties found guilty of violating said act; also,

A bill to amend and explain the 5th section of an amendatory act on public education, assented to the 21st December, 1859, and for other purposes; also,

A bill for the navigation of Beard's creek, in the county of Tattnall, and for the removal of obstructions in the same; also,

A bill to amend an act to constitute the town of Cuthbert, in Randolph county a city, to provide for the election of officers, define the powers of the several officers of said city as well as of said corporation, to extend the limits of Cuthbert, and for other purposes, approved 19th December, 1859; also,

A bill to authorise the appointment of an appraiser or appraisors to assess the value of the right of way and of the timber and materials taken by any Rail Road company in this State, when such Rail Road company shall fail or refuse to appoint, and for other purposes therein mentioned; also,

A bill to appoint a Board of Commissioners for the bar of St. Simons and Turtle River, and for other purposes; also,

A bill to prevent the obstructing water courses, muddying lakes, ponds or streams, seining therein, poisoning, and thereby destroying fish, and for other purposes; also,

A bill to authorize the Clerk of the Superior Court and Ordinary of the county of Harris to appoint such persons as they deem competent to manage elections at each precinct in said county; also,

A bill to alter and change the county line between the counties of Glascock and Jefferson, and for other purposes; also,

A bill to amend an act approved December 19th, 1859, incorporating the Lumpkin law school, and to incorporate the Evangelical Lutheran Synod, of the State of Georgia.

On motion of Mr. McLeod the rules were suspended, and the Senate took up as the report of the Committee of the Whole, a bill to change the line between the counties of Emanuel and Johnson.

The report was agreed to. The bill was read the third time and passed.

The Senate took up the following bill, which was read the second time and referred to the Committee on the Judiciary :

A bill to require the Judges of the Supreme Court of this State to propose and establish rules of practice in the Superior and Inferior Courts of this State.

The Senate took up the following bill, which was read the second time and referred to the Committee of the Whole :

A bill to incorporate the Atlanta Publishing Company.

The Senate took up as the report of the Committee of the Whole, a bill to legalize the acts and doings of A. B. Dearing, as administrator of his father William Dearing.

The report was agreed to. The bill was read the third time and passed.

The Senate took up as the report of the committee of the Whole, a bill to compensate the sheriffs of Decatur county for summoning Jurors.

The report was agreed to. The bill was read the third time and passed.

The Senate took up as the report of the Committee of the Whole, a bill to regulate and prescribe the fees of jurors in civil cases, so far as relates to the county of Catoo-so, and for other purposes.

The report was agreed to. The bill was read the third time and passed.

The Senate took up as the report of the Committee of the Whole, a bill to amend an act entitled an act to alter and amend the road laws of this State so far as relates to the county of Wayne, assented to Dec. 22d, 1857.

The report was agreed to. The bill was read the third time and passed.

The Senate took up as the report of the Committee of the Whole, a bill to change the mode of ascertaining the number of children in the county of Lumpkin, who are entitled to the benefit of the common school fund for said county.

The report was agreed to. The bill was read the third time and passed.

The Senate took up as the report of the Committee of the Whole, a bill to incorporate the Swainsboro Branch Rail Road Company.

The report was agreed to. The bill was read the third time and passed.

The Senate took up as the report of the Committee of

the Whole, a bill to change the name of Jane Bennett Edes to that of Jane Davis Bennett.

The Committee on the Judiciary to whom said bill was referred reported adverse to its passage.

The report was agreed to. The bill was read the third time and lost.

The Senate took up as the report of the Committee of the Whole, a bill to incorporate the town of Bethany.

The report was agreed to. The bill was read the third time and passed.

The Senate took up as the report of the Committee of the Whole, a bill to authorize the Inferior Court of Putnam county to levy an educational and military tax.

Mr. Tarver moved to amend the report by amending the first section; which was agreed to.

The report as amended was agreed. The bill was read the third time and passed.

The Senate took up as the report of the Committee of the Whole, a bill to amend an act to authorize the city council of Rome to subscribe one hundred thousand dollars of stock in the Georgia and Alabama Rail Road company, and for other purposes

The report was agreed to. The bill was read the third time and passed.

The Senate took up as the report of the Committee of the Whole, a bill to organize a Volunteer Battallion in the city of Macon, to be called the Independent Volunteer Battallion of Macon.

The report was agreed to. The bill was read the third time and passed.

The Senate took up as the report of the Committee of the Whole, a bill to authorize the Inferior Court of Henry county to levy an extra tax for the support of the indigent poor.

Mr. Walker moved to amend the report by adding an additional section authorizing the Inferior Court of Crawford county to levy and collect an extra tax for the year 1861; which was agreed to.

The report as amended was agreed to. The bill was read the third time and passed.

The Senate took up as the report of the Committee of the Whole, a bill to incorporate the Mount Vernon Church and Academy in the county of Walton, and for other purposes.

Mr. Wilson moved to amend the report by adding an additional section incorporating the Friendship Baptist Church of Christ, of Murray county; which was agreed to.

The report as amended was agreed to. The bill was read the third time and passed.

The Senate took up as the report of the Committee of the Whole, a bill to incorporate the Homer high school.

Mr. Lawton moved to amend the report by adding additional sections incorporating the Savannah Screwmen's Benevolent Association; which was agreed to.

The report as amended was agreed to. The bill was read the third time and passed.

The Senate took up as the report of the Committee of the Whole, a bill to regulate the granting licenses to retail spirituous liquors in the county of Burke.

Mr. Fulton moved to amend the report by extending the provisions of said bill to the county of Columbia; which was agreed to.

The report as amended was agreed to. The bill was read the third time and passed.

The Senate took up as the report of the Committee of the Whole, a bill to consolidate the offices of Clerk of the Superior and Inferior Courts of Clayton county.

The report was agreed to. The bill was read the third time and passed.

The Senate took up as the report of the Committee of the Whole, a bill to confer certain powers and privileges on the Tax Collector and tax payer of Stewart county.

The report was agreed to. The bill was read the third time and passed.

The Senate took up as the report of the Committee of the Whole, a bill to incorporate the town of Montezuma in Macon county, and for other purposes.

The report was agreed to. The bill was read the third time and passed.

On motion the Senate adjourned until 9½ o'clock to-morrow morning.

THURSDAY, DECEMBER 13th, 1860. }

9½ o'clock, A.M. }

Senate met according to adjournment, and was opened with prayer by the Rev. Mr. Flynn.

Mr. Merrill moved to reconsider so much of the journal of yesterday as relates to the vote by which a bill to transfer all suits from the Superior Court of the county of Heard, in which B. H. Wright is defendant, and all papers appertaining to the same, to the Superior Court of the county of Carroll, was lost; which was agreed to.

On motion of Mr. Harris, of Worth, the rules were suspended, and the Senate took up, as the report of the Committee of the Whole, a bill of the House of Representatives to prevent the poisoning of fish in the counties of Colquitt, Worth, Appling, Dooly, Burke, Telfair, Coffee, Mitchell, Brooks, Calhoun, Wilcox, Warren and Irwin, of this State, and for other purposes.

Mr. Williams, of Berrien, moved to amend the report by inserting the county of Berrien: which was agreed to.

Mr. McLeod moved further to amend the report by inserting the county of Emanuel; which was agreed to.

Mr. Jordan moved further to amend the report by inserting the county of Pulaski: which was agreed to.

The report as amended was agreed to; the bill was read the third time and passed.

The Senate resumed the consideration of the unfinished business of yesterday, which was, a bill to incorporate the European and Direct Trade Steam Navigation Company of Georgia, and the substitute offered therefor.

Mr. Printup moved to amend the report by striking out the fourth section, and offering a substitute in lieu thereof.

Mr. Holt moved to amend the foregoing amendment by adding a proviso to the same; which was lost.

The question recurring on Mr. Printup's amendment, the same was agreed to.

Mr. Whitehurst moved further to amend the report by striking out, in the seventh section, the words "for one year from the time the steamer commences running, with a privilege of the Governor to extend it five years, if it prove conducive to the interest of the State of Georgia with the interest of the Southern States;" which was lost.

Mr. Billups moved further to amend the report by inserting, in the seventh section, the following: "upon the assurance that the whole amount of the capital stock of said company has been subscribed for, and paid either in cash or its equivalent;" which was lost.

Mr. Holt moved further to amend the report by striking out the seventh section; which was lost.

Mr. Printup moved further to amend the report by adding an additional section as the 8th section; which was agreed to.

Mr. Bartlett moved further to amend the report by adding an additional section.

Upon agreeing to which motion, the yeas and nays were recorded, and were, yeas 31, nays 76.

Those who voted in the affirmative are Messrs.:

Allred, Bartlett, Billups, Bond, Briscoe, Cloud, Cook,

Denham, Ferrill, Flewellen, Gartrell, Grice, Holt, Hyde, Ivey, Jamison, Johnson of Clayton, Jones, Maples, McRae, Poole, Quillian, Riley, Sheppard, Tarver, Turner, Walker, Ward, Ware, Wells, Williams of Rabun.

Those who voted in the negative are Messrs.

Ashley, Atkinson, Barclay, Barrow, Batts, Boggs, Brown, Burnett, Byars, Cannon, Collier, Cooper, Cone, Cowen, Davis, Delaperriere, Donaldson, Evans, Fulton, Gaston, Glover, Green, Griffin of Twiggs, Hart, Harris of Dougherty, Harris of Worth, Harvin, Hightower, Hill of Wilkes, Hines, Hitchcock, Hood, Johnson of Cass, Jordan, King, Kirby, Lamar, Lawton, Lenoir, Lockhart, Lott, Merrill, McDuffie, McGehee, McLeod, Moore of Laurens, Moore of Whitfield, Oliver, Paine, Printup, Pruitt, Reid of Morgan, Reid of Taliaferro, Ritch, Robinson, Roberts, Rushin, Sawyer, Shelton, Shellnut, Smith of Hancock, Snell, Spalding, Sturges, Summerour, Sweat, Tillman, Tracy, Usry, Wellborn, White, Whitehurst, Whitworth, Williams of Berrien, Wilson, Wynne.

So the motion to amend did not prevail.

Mr. Hill, of Troup, moved further to amend the report by adding an additional section as a proviso.

Upon agreeing to which motion, the yeas and nays were recorded, and were yeas 46, nays 60.

Those who voted in the affirmative are Messrs.

Alexander, Allred, Bartlett, Billups, Boggs, Bond, Briscoe, Cook, Cowen, Denham, Donaldson, Ferrill, Flewellen, Gartrell, Grice, Hill of Troup, Holt, Hood, Hyde, Ivey, Jamison, Johnson of Clayton, Jones, Lenoir, Maples, McLeod, McRae, Poole, Quillian, Riley, Ritch, Rushin, Shelton, Sheppard, Smith of Hancock, Spalding, Sweat, Tarver, Turner, Walker, Ware, Wells, Whitehurst, Whitworth, Williams of Rabun, Young.

Those who voted in the negative are Messrs.

Ashley, Atkinson, Barclay, Barrow, Batts, Brown, Byars, Cannon, Carter of Echols, Carter of Elbert, Collier, Cooper, Cone, Davis, Delaperriere, Evans, Fulton, Gaston, Glover, Green, Griffin of Twiggs, Hart, Harris of Dougherty, Harris of Worth, Harvin, Hightower, Hill of Wilkes, Hines, Hitchcock, Johnson of Cass, Jordan, King, Lamar, Lawton, Lockhart, Lott, Merrill, McDuffie, McGehee, Moore of Whitfield, Oliver, Paine, Printup, Pruitt, Reid of Morgan, Reid of Taliaferro, Robinson, Roberts, Sawyer, Shellnut, Sturges, Summerour, Tracy, Usry, Ward, Wellborn, White, Williams of Berrien, Wilson, Wynne.

So the motion to amend did not prevail.

The report as amended was agreed to.

Mr. Tracy moved the previous, which being seconded, the main question was ordered to be put, and upon the question "shall this bill now pass?" the yeas and nays were recorded, and were yeas 60, nays 46.

Those who voted in the affirmative are Messrs :

Ashley, Atkinson, Barclay, Barrow, Batts, Brown, Burnett, Byars, Cannon, Carter of Echols, Carter of Elbert, Collier, Cooper, Cone, Cowen, Davis, Delaperriere, Evans, Fulton, Gaston, Glover, Green, Griffin of Twiggs, Hart, Harris of Dougherty, Harvin, Hightower, Hill of Wilkes, Hines, Johnson of Cass, Jordan, King, Lamar, Lawton, Lockhart, Lott, Maddox, Merrill, McDuffie, McGehee, Moore of Laurens, Printup, Pruitt, Reid of Morgan, Reid of Taliaferro, Robinson, Sawyer, Shelton, Smith of Hancock, Sturges, Summerour, Tillman, Tracy, Usvy, Wellborn, White, Whitehurst, Williams of Berrien, Wilson, Wynne.

Those who voted in the negative, are Messrs.

Alexander, Allred, Bartlett, Billups, Boggs, Bond, Briscoe, Cloud, Cook, Denham, Donaldson, Ferrill, Flewellen, Gartrell, Grice, Harris of Worth, Hill of Troup, Hitchcock, Holt, Hood, Hyde, Johnson of Clayton, Jones, Lenoir, Maples, McLeod, McRae, Oliver, Paine, Poole, Quillian, Riley, Ritch, Roberts, Rushin, Shellnut, Sheppard, Spalding, Tarver, Turner, Walker, Ward, Ware, Wells, Whitworth, Williams of Rabun.

So the bill was passed.

The following message was received from the House of Representatives, by Mr. Hillyer, their Clerk :

Mr. President:—The House of Representatives have passed the following bill over the veto of his Excellency the Governor, by a constitutional majority of ayes 79, and nays 31 :

A bill to pardon William A. Choice, of the county of Fulton, now under sentence of death for the crime of murder, and to place him in the Lunatic Asylum of Georgia.

I am directed to transmit the same forthwith to this branch of the General Assembly.

Mr. Harris, of Worth, moved to extend the time of adjournment one half hour; which was agreed to.

On motion of Mr. Harris, of Worth, the rules were suspended, and the Senate took up the following bill, which had been vetoed by his Excellency the Governor, to-wit:

A bill to pardon William A. Choice, of the county of Fulton, now under sentence of death for the crime of murder, and to place him in the Lunatic Asylum of Georgia.

"Upon the question "shall this bill now pass over the veto of his Excellency the Governor," the yeas and nays were recorded, and were, yeas 56, nays 18.

Those who voted in the affirmative are Messrs.

Ashley, Barclay, Barrow, Batts, Billups, Boggs, Briscoe, Brown, Burnett, Byars, Cannon, Carter of Echols, Carter of Elbert, Cooper, Cook, Davis, Evans, Flewellen, Fulton, Grice, Griffin of Twiggs, Harris of Dougherty, Harris of Worth, Harvin, Hill of Troup, Hines, Holt, Johnson of Clayton, King, Kirby, Lamar, Lawton, Lockhart, Lott, Maples, McDuffie, McLeod, McKee, Moore of Laurens, Paine, Printup, Pruitt, Ritch, Roberts, Rushin, Sawyer, Smith of Hancock, Spalding, Summerour, Tarver, Tracy, Usry, Walker, Ward, Wells, Young.

Those who voted in the negative are Messrs.

Cloud, Collier, Cone, Delaperriere, Denham, Ferrill, Gartrell, Glover, Green, Hill of Wilkes, Hitchcock, Hood, Hyde, Ivey, Oliver, Shellnut, Whitworth, Wynne.

There being a constitutional majority of two-thirds, the bill was passed over the veto of his Excellency the Governor.

Messrs. Alexander, Allred, Cowen, Jones, Merrill McGeehee, Quillian, Reid of Morgan, Reid of Taliaferro, Riley, Sheppard, Sturges and Wilson, were excused from voting on the foregoing bill in consequence of having paired off with absent Senators.

Messrs. Lenoir, Ware and White, asked to be excused from voting, which was granted.

The following message was received from the House of Representatives, by Mr. Hillyer, their Clerk :

Mr. President—The House of Representatives have passed the following bills :

A bill to authorize the establishment of an Armory in the town of Marietta in the county of Cobb, and to grant corporate powers and privileges to the same and for other purposes therein mentioned.

A bill to authorize A. P. Key, of the county of Jasper, his heirs and assigns to extend and keep up a dam across the Ocmulgee river on his own lands, and for other purposes therein mentioned,

A bill to incorporate Nickajack Manufacturing company, for other purposes.

A bill to incorporate Fort Valley Female College in the town of Fort Valley, and to incorporate Trustees for the same ; also to incorporate Charlton Chapel, in Nebraska, in the county of Banks : also to incorpo-

rate the Trustees of Hepsibah High School at Brothersville, in the county of Richmond, and for other purposes.

A bill to incorporate the town of Canton, in the county of Cherokee, and to appoint Commissioners for the same and to define their duties and powers for and in said Corporation.

A bill to amend the charter of the Macon Canal company, approved Feb. 22d, 1850.

A bill for the relief of James M. Summers of the county of Forsyth, and other purposes.

A bill to allow Sheriffs, Constables and Coroners additional compensation in certain cases therein mentioned, and for other purposes.

A bill to amend the several acts incorporating the city of West Point, and make valid the purchase of the Bridge across the Chattahoochee river in said city by said city authorities, and for other purposes therein mentioned.

A bill to incorporate the Southern Eclectic Medical College of the city of Atlanta.

A bill to impose and fix a penalty upon persons failing or refusing to give in for taxes, negroes held in nominal slavery.

A bill to repeal an act entitled an act to extend the corporate limits of the Town of Carrollton, in the county of Carroll, approved Feb. 8th, 1856.

A bill to establish a Mounted Police in the county of McIntosh to levy a tax upon the slave holders of the two hundred and seventy first and seventy second Districts, Georgia Militia, in said county, and for other purposes therein mentioned.

A bill to provide for the compulsory attendance of witnesses upon the Courts in civil and criminal cases in this State.

A bill to incorporate the citizen fire company, No. 8, of the city of Augusta, to grant certain privileges to the members of said company, and for other purposes therein named.

A bill to amend the laws of this State in relation to the selection of Jurors in civil and criminal cases.

A bill to compensate the Superintendents of elections in the county of DeKalb.

A bill to incorporate the Brasstown Baptist Camp Ground in the county of Towns.

A bill for the relief of Daniel W. Shine, of the county of Twiggs.

A bill for the election of Treasurer in the counties of Harris and Glascock.

A bill to prescribe the oath of witnesses before Grand Juries.

A bill to amend the Road Laws of the counties of Clarke,

Warren, Spalding, Crawford, Ware, Rabun, Clayton, and Whitfield.

A bill to incorporate Summerville Academy in the county of Richmond.

A bill to prevent the hiring of slaves to free persons of color, to provide a penalty for the same, and for other purposes.

A bill to incorporate Sparks Fire company, No. 4, in the city of Macon, and for other purposes.

A bill to divide and distribute real and personal estate left by will to two or more legatees, without providing for the division of the same.

The House have also agreed to a resolution requesting His Excellency the Governor, to examine a list of the books in the private Library of the late William Crosby Dawson, and purchase such of the same as in his judgment, ought to be placed in the Library of the State of Georgia, in which they ask the concurrence of this Branch of the General Assembly.

The House have also passed the following bill over the veto of His Excellency the Governor by a Constitutional majority of yeas 75, and nays 34,

A bill for the relief of Sterling S. Jenkins.

I am directed to transmit the same forthwith to this branch of the General Assembly.

On motion the Senate adjourned until 3 o'clock, P M.

THREE O'CLOCK, P M.

The Senate met according to adjournment.

The Senate took up as the report of the committee of the whole, the special order, which was a bill of the House of Representatives to appropriate money for the execution of a Turnpike and bridge across the Allapaha river near Irwinville, and for other purposes.

The report was agreed to, the bill was read the third time and passed.

The Senate took up the following bill, which had been vetoed by His Excellency the Governor, to-wit:

A bill for the relief of Sterling S. Jenkins.

Upon the question, "shall this bill now pass over the veto of His Excellency the Governor?" the yeas and nays were recorded, and were, yeas, 69; nays, 16.

Those who voted in the affirmative, were Messrs.

Allred, Barrow, Bartlett, Billups, Boggs, Bond, Briscoe, Brown, Burnett, Cannon, Carter of Echols, Carter of Elbert, Cloud, Collier, Cook, Denham, Evans, Ferrill, Fulton, Gaston, Glover, Griffin of Twiggs, Hackett, Harvin, Hill, of Wilkes, Hines, Holt, Ivey, Johnson of Cass, Jordan, King, Kirby, Lamar, Lawton, Lockhart, Lott, Maddox, Maples, Merrill, McRae Moore, of Laurens, Oliver, Paine, Poole, Printup, Pruitt, Quillian, Reid, of Morgan, Reid of Taliaferro, Riley, Ritch, Robinson, Roberts, Shelton, Shepard, Smith of Hancock, Spalding, Summerour, Sweat, Tillman, Turner, Tracy, Usry, Ward, Ware, Wellborn, Whitehurst, Whitworth, Young.

Those who voted in the negative are Messrs.

Barclay, Cooper, Donaldson, Green, Hart, Harris of Dougherty, Hitchcock, Hyde, Moore, of Whitfield, Shellnut, Sturges, Walker, White, Williams of Berrien, Williams, of Rabun, Wynne.

Yeas 69, nays 16. So the bill was passed by a Constitutional majority of two-thirds over the veto of His Excellency the Governor.

On motion of Mr. Lawton the rules were suspended and the communication of His Excellency the Governor, relative to the appointment of Maj. Henry C. Wayne as Adjutant and Inspector General of the State of Georgia, was taken up.

Mr. Lawton moved that the nomination of Maj. Henry C. Wayne by Excellency the Governor, to the office of Adjutant and Inspector General of the State of Georgia, be unanimously approved and confirmed by the Senate.

Upon agreeing to which motion, the yeas and nays were recorded, and were yeas 98, nays none.

Those who voted in the affirmative, were Messrs.

Allred, Ashley, Barrow, Bartlett, Billups, Boggs, Bond, Briscoe, Brown, Burnett, Byars, Cannon, Carter of Echols, Carter of Elbert, Cloud, Collier, Cooper, Cook, Delaperrière, Denham, Donaldson, Evans, Ferrill, Flewellen, Fulton, Gartrell, Gaston, Glover, Green, Grice, Griffin of Twiggs, Hart, Harris of Worth, Harvin, Hightower, Hill of Wilkes, Hines, Hitchcock, Holt, Hyde, Ivey, Jamison, Johnson of Cass, Jones, Jordan, King, Kirby, Lamar, Lawton, Lenoir, Lott, Lockhart, Maddox, Maples, Merrill, McGehee, McRae, Moore of Laurens, Moore of Whitfield, Oliver, Paine, Poole.

Printup, Pruitt, Quillian, Reid of Morgan, Reid of Taliaferro, Riley, Ritch, Robinson, Roberts, Rushin, Shelton, Shellnut, Sheppard, Smith of Hancock, Snell, Spalding, Sturges, Summerour, Tarver, Tillman, Turner, Tracy, Usry, Walker, Ward, Ware, Wellborn, White, Whitehurst, Whitworth, Williams of Berrien, Williams of Rabun, Wilson, Wynne, Young.

Yeas 98, nays none. So the Senate consented to, and approved of the nomination of His Excellency the Governor of Maj. Henry C. Wayne, as Adjutant and Inspector General.

The following message was received from the House of Representatives by Mr. Hillyer their Clerk.

Mr. President: The House of Representatives have passed the following bills:

A bill to determine who shall be the proper collecting officers for the Superior Courts of this State.

A bill to organize the South Western Battalion of the State of Georgia, and confer certain privileges upon the same.

A bill to further amend an act entitled an act to empower the General Courts of Pleas to grants, writs of partition of lands, and tenements held in coparceny, joint tenancy and tenancy in common, in this province, and to appoint the method of proceeding therein, passed 26th of March, 1767, and to amend the acts amendatory thereof, the one passed December 22d, 1827, and the other December 26th, 1837, and for other purposes.

A bill to alter and change the lines of the incorporation of the town of Jonesboro', &c

A bill to amend an act to incorporate the town of Fairburn in the counties of Fayette and Campbell.

A bill to incorporate the village of Summerville, in the county of Richmond, to provide for the election of Commissioners for the same, to prescribe the powers and duties of said Commissioners and to incorporate Centre Chapel Camp Ground in Appling county, and the Mount Zion Evangelical Lutheran Church, and for other purposes.

A bill for the relief of the Etowah Manufacturing and Mining Company, to encourage the development of the mineral wealth of Georgia, and for other purposes therein contained.

The Senate took up the following bill, which had been vetoed by his Excellency the Governor, to-wit:

A bill to appoint three Trustees for the Georgia Institution for the Deaf and Dumb, and for other purposes.

Upon the question "shall this bill now pass over the veto of his Excellency the Governor?" the yeas and nays were recorded, and were yeas 96, nays 10.

Those who voted in the affirmative were Messrs.

Alexander, Allred, Ashley, Atkinson, Barclay, Barrow, Bartlett, Batts, Billups, Boggs, Bond, Briscoe, Brown, Burnett, Bvars, Cannon, Carter of Elbert, Cloud, Collier,

Cooper, Cook, Davis Denham, Evans, Ferrill, Flewellen, Fulton, Gartrell, Gaston, Glover, Green, Grice, Griffin of Twiggs, Hackett, Hart, Harris of Worth, Harvin, Hill of Troup, Hill of Wilkes, Hines, Holt, Hood, Jamison, Johnson of Clayton, Johnson of Cass, Jordan, King, Kirby, Lamar, Lawton, Lenoir, Lockhart, Lott, Maddox, Maples, Merrill, McGehee, McLeod, McRae, Moore of Laurens, Oliver, Poole, Printup, Pruitt, Quillian, Reid of Morgan, Reid of Taliaferro, Riley, Ritch, Robinson, Roberts, Rushin, Sawyer, Shelton, Sheppard, Smith of Hancock, Snell, Spalding, Sturges, Summerour, Tarver, Tillman, Turner, Tracy, Usry, Walker, Ward, Wellborn, Wells, White, Whitehurst, Whitworth, Williams of Berrien, Williams of Rabun, Wynne.

Those who voted in the negative are Messrs.

Cowen, Harris of Dougherty, Hightower, Hitchcock, Hyde, Ivey, Jones, Moore of Whitfield, Shellnut, Wilson.

So the bill was passed by a constitutional majority of two-thirds over the veto of his Excellency the Governor.

On motion of Mr. Cannon, the rules were suspended and the Senate took up a reconsidered resolution of the House of Representatives, relative to extending the time of adjournment of the present session of the General Assembly.

Mr. Holt moved to amend the same, by inserting "5 o'clock, P. M.," which was agreed to.

On the motion to agree to the resolution as amended, the yeas and nays were recorded, and were yeas 84, nays 24.

Those who voted in the affirmative are Messrs.

Alexander, Allred, Ashley, Atkinson, Barclay, Bartlett, Batts, Billups, Boggs, Bond, Briscoe, Brown, Burnett, Byars, Cannon, Carter of Echols, Carter of Elbert, Collier, Cooper, Cook, Cowen, Davis, Delaperriere, Evans, Ferrill, Flewellen, Fulton, Gartrell, Gaston, Green, Griffin of Twiggs, Hackett, Harris of Worth, Harvin, Hightower, Hill of Troup, Hines, Holt, Hyde, Johnson of Clayton, Johnson of Cass, Jordan, King, Kirby, Lamar, Lawton, Lenoir, Lott, Maples, Merrill, McGehee, McLeod, Moore of Laurens, Moore of Whitfield, Paine, Poole, Printup, Pruitt, Quillian, Reid of Taliaferro, Riley, Ritch, Roberts, Rushin, Sawyer, Shelton, Shellnut, Sheppard, Smith of Hancock, Snell, Spalding, Summerour, Tarver, Tracy, Usry, Ward, Ware, Wellborn, Wells, White, Williams of Berrien, Williams of Rabun, Wilson, Young.

Those who voted in the negative are Messrs. :

Cloud, Denham, Donaldson, Glover, Hart, Harris of Dougherty, Hill of Wilkes, Hitchcock, Ivey, Jamison, Jones, Lockhart, Maddox, McRae, Oliver, Reid of Morgan, Robinson, Stur-

Yes, Sweat, Tillman, Turner, Walker, Whitehurst, Whitworth, Wynne.

So the Senate, by a constitutional majority of two-thirds, concurred in the resolution.

Mr. Cannon, from the special committee, made the following report :

The special committee, to whom was referred a bill to compel all persons owning lands in certain counties therein named, to have the same resurveyed, report the same back to the Senate, with an amendment, and recommend that the same do pass.

Leave of absence was granted Mr. Hutchins for the entire session, on account of ill health.

Leave of absence was granted Mr. Maples, after Friday next, on account of ill health.

Leave of absence was granted Mr. Pruitt, after Saturday next, on special business.

Mr. Harris of Dougherty, from the committee on enrollment reported as duly enrolled and ready for the signature of the President of the Senate, the following bill :

A bill to be entitled an act to authorize the Justices of the Inferior Court of Lumpkin county, or a majority of them, to levy an additional and extra tax, for the purpose of repairing the Court House of said county, and to authorize the Inferior Court of Bibb county to levy and collect a special tax for the support of the poor of said county, and for other purposes.

The Senate took up a bill to amend an act to lay out and organize a new county from the counties of Lumpkin and Gwinnett, assented to Dec. 3d, 1857.

On motion the same was made the special order for Monday next.

Mr. Printup, chairman of the Committee on Finance, made the following report :

The Committee on Finance, to whom was referred a bill to provide for raising a revenue for the political year 1861, and to appropriate money for the support of Government during said year, and for other purposes, report the same back to the Senate, with amendments, and recommend that the same do pass.

The Senate took up as the report of the Committee of the Whole, a bill to compel all persons owning lands in certain counties named to have the same re-surveyed.

The special committee, to whom said bill was referred, offered an amendment to the same, requiring all persons who have not had their lands re-surveyed in certain counties

within the last ten years, to have the same resurveyed by the County Surveyor, or Deputy, within three years after the passage of this act; which was agreed to.

On motion the Senate adjourned until 7 o'clock, P. M.

SEVEN O'CLOCK, P. M.

Senate met according to adjournment.

Mr. Allred offered the following resolution, which was read:

Resolved, by the Senate of the State of Georgia, That with the concurrence of the House of Representatives, that the General Assembly will proceed, on Saturday next, at 11 o'clock, A. M., to the election of a United States Senator, in place of the Hon. Alfred Iverson, from the 4th of March next.

On motion the Senate adjourned until 9½ o'clock to-morrow morning.

FRIDAY, DECEMBER 14TH, 1860, }
9½ O'CLOCK A. M. }

Senate met according to adjournment, and was opened with prayer by Rev. Mr. Curtis.

Mr. Sturges offered the following resolution which was read

Resolved, That the Senate now proceed to the consideration of Senate local bills.

On motion of Mr. Johnson of Cass, the rules were suspended, and the Senate took up the following bill of the House of Representatives, which was read the first time.

A bill for the relief of the Etowah Manufacturing and Mining Company, and for other purposes.

Leave of absence was granted Mr. Young, after Saturday next, on special business.

Leave of absence was granted Mr. Ivey, after Monday next, on special business.

Leave of absence was granted Mr. Hitchcock, after Saturday next, on account of the illness of his family.

Leave of absence was granted Mr. McRea, after Saturday next, on special business.

Leave of absence was granted Mr. Williams of Berrien, after Saturday next, on account of indisposition.

On motion of Mr. Cone the rules were suspended, and the Senate took up a resolution previously offered by him, relative to limiting the time of Senators speaking on any subject before the Senate.

Mr. Oliver moved to amend the same by striking out the words "unless by two thirds vote."

On motion of Mr. Johnson of Clayton, the resolution and amendment was indefinitely postponed.

Mr. King offered the following resolution, which was taken up read and agreed to.

Resolved, That no leave of absence shall be granted after the number of Senators has been reduced to seventy-five, except for providential cause.

Mr. McGehee offered the following resolution, which was read :

Resolved, That in the night sessions of the Senate, we proceed with the regular business of the Senate, and that any bill delayed by the absence of the introduces of the bill, unless the absence is the result of leave of absence or sickness of himself or family, be considered as indefinitely postponed.

The Senate resumed the consideration of the unfinished business of yesterday, which was a bill to compel all persons owning lands in certain counties named, to have the same re-surveyed.

On motion the same was indefinitely postponed.

On motion of Mr. Sturges the rules were suspended, and the following resolution was taken up read and agreed to.

Resolved, That the Senate now proceed to the consideration of Senate local bills.

The Senate took up, as the report of the Committee of the whole,

A bill to allow Rufus Barker, of the county of Floyd, to practice medicine and charge therefor.

On motion the same was indefinitely postponed.

The Senate took up, as the report of the Committee of the whole, a bill to change the line between the counties of Walton and Newton, and between Newton and Jasper.

Mr. Ware moved to amend the report by changing the

line between the counties of Cass and Polk, which was agreed to.

The report as amended was agreed to. The bill was read the third time and passed.

The Senate took up as the report of the Committee of the whole, a bill to change the line between the counties of Irwin and Wilcox.

The report was agreed to. The bill was read the third time and passed.

The Senate took up as the report of the Committee of the whole, a bill to change the line between the counties of Putnam and Jasper.

On motion the same was indefinitely postponed.

The Senate took up, as the report of the Committee of the whole, a bill to amend the charter of the Georgia Western Railroad Company, and for other purposes.

Mr. Gartrell moved to amend the report by adding an additional section extending the like privilege to the Polk Slate Quarry Railroad Company; which was agreed to.

Mr. Cook moved further to amend the report by adding a proviso to said bill; which was agreed to.

The report as amended was agreed to. Upon the question shall this bill now pass? the yeas and nays were recorded, and were yeas 53, nays 45.

Those who voted in the affirmative are Messrs.

Alexander, Billups, Boggs, Brown, Burnett, Byars, Carter of Elbert, Collier, Davis, Delaperriere, Denham, Ferrell, Fulton, Gartrell, Gaston, Green, Hackett, Hart, Harris of Dougherty, Hightower, Hill of Troup, Hyde, Jamison, Johnson of Clayton, Johnson of Cass, Jones, King, Lockhart, Lott, Merrill, McDuffie, McGehee, Moore of Laurens, Moore of Whitfield, Oliver, Paine, Quillian, Riley, Ritch, Robinson, Roberts, Sawyer, Shelton, Shellnut, Sturges, Turner, Ware, Wellborn, White, Whitehurst, Whitworth, Wilson, Wynne.

Those who voted in the negative are Messrs.

Allred, Barclay, Barrow, Bartlett, Batts, Bond, Briscoe, Cloud, Cooper, Cook, Cone, Cowen, Donaldson, Flewellen, Glover, Grice, Griffin of Twiggs, Harris of Worth, Hill of Wilkes, Hines, Hitchcock, Holt, Hood, Ivey, Kirby, Lenoir, Maples, McRae, Printup, Pruitt, Reid of Morgan, Reid of Taliaferro, Rushin, Sheppard, Smith of Hancock, Snell, Spalding, Tarver, Tillman, Tracy, Urv, Walker, Ward, Williams of Berrien, Williams of Rabun.

So the bill was passed.

The Senate took up as the report of the committee of the whole, a bill to submit the matters in controversy between the Western & Atlantic Railroad, and Elsy B. Reynolds, to the arbitrament and award of George D. Phillips.

Mr. Cook moved to amend the report by striking out the name of George D. Phillips, which was lost.

Mr. Harris of Worth, moved further to amend the report by adding the name of John W. Lewis, which was agreed to.

The report as amended was agreed to, the bill was read the third time and passed.

Mr. Harris of Dougherty, from the Committee on Enrollment, reports as duly enrolled and signed by the Speaker of the House of Representatives and ready for the signature of the President of the Senate,

A resolution to extend the present session of the General Assembly to the 19th inst. at the hour of 5 o'clock P. M.

The following message was received from the House of Representatives, by Mr. Hillyer, their Clerk:

Mr. President: The House of Representatives have passed the following bills,

A bill to incorporate the Presbyterian and Baptist Churches, in the city of Greensboro, and to appoint trustees for the same, and for other purposes.

A bill to dispose of the school fund for certain counties therein mentioned, and for other purposes.

A bill for the relief of Edmund Palmer and William L. Buxton, both of the county of Burke, and for other purposes.

A bill to prescribe the manner of establishing lost papers in the Superior and Inferior Courts of this State.

A bill for the relief of John S. Murphy, of the county of Columbia.

A bill for the regulations of sales by Auctioneers and Vendue Masters, within the limits of this State, and for other purposes therein mentioned,

A bill to repeal an act passed Dec. 20th, 1849, entitled and act to regulate the fees of Attorney and Solicitors General, and for other purposes therein specified, so far as the same may relate to the county of Chattooga in the Cherokee Judicial Circuit, and the county of Floyd in the Tallapoosa Judicial Circuit, also to the counties of Gordon and Dade in this State, and for other purposes.

A bill amendatory of an act assented to on the 23d of Feb. 1850, to compel discoveries at common law and to

allow Plaintiffs to prove their accounts by written affidavits.

The House have also passed the following bill over the veto of His Excellency the Governor, by a constitutional majority of ayes 101 and nays 13.

A bill to incorporate the Home Loan Association, the Peoples Mutual Loan Association, and the Augusta Mutual Loan Association of Augusta, and for other purposes therein mentioned.

The House have also concurred in the Senate amendments to the bill to prevent the poisoning of fish in certain counties therein named.

The Senate took up the following bill of the House of Representatives:

A bill to pay James H. Estes a sum of money lost by him by reason of an error in the Records of the State of Georgia.

On motion the same was referred to a special committee of three.

In pursuance of which the President appointed Messrs. Hill of Troup, Lawton, and Jones, as said committee.

The Senate took up, as the report of the Committee of the Whole, a bill to consolidate the offices of Tax Collector and Receiver of Tax Returns in the county of Catoosa.

The report was agreed to. The bill was read the third time and passed.

Mr. Harris, of Dougherty, from the Committee on Enrollment, reports as duly enrolled, and signed by the Speaker of the House of Representatives, and ready for the signature of the President of the Senate,

An Act to appropriate money for the erection of a Turnpike and Bridge across the Allapaha river near Irwinville, on the road from Jacksonville, Telfair county, to the city of Albany, in Dougherty county; and build a bridge and turnpike across Spring Creek, in Miller county, and for other purposes.

The Senate took up, as the report of the Committee of the whole, a bill to allow and authorize William Avery, of the county of Merriwether, to peddle in the same without license.

The report was agreed to. The bill was read the third time and passed.

Senate took up as the report of the Committee of the Whole, a bill to make penal the using of any poisonous substances in any of the water courses in Webster county, for the purpose of poisoning and catching fish.

The report was agreed to. The bill was read the third time and passed.

The following message was received from his Excellency the Governor by Mr. Waters, his Secretary, to-wit:

Mr. President:—The Governor has approved and signed the following Acts, to-wit:

An Act to provide for the removal of the public buildings in the county of Clinch, and for other purposes.

Also, The Resolution in regard to the boundary line between the States of Georgia and Florida, accompanied with a communication in writing relating thereto.

Senate took up as the report of the Committee of the Whole, a bill to legalize the marriage of J. M. Painter and Cynthia Robinson, both of the county of Gilmer.

The report was agreed to. The bill was read the third time and passed.

Senate took up as the report of the Committee of the Whole, a bill to amend an act to incorporate the town of Spring Place in Murray county, and for other purposes.

Mr. Wilson moved to amend the report by adding a proviso to the second section, which was agreed to.

The report as amended was agreed to. The bill was read the third time and passed.

Senate took up as the report of the committee of the whole, a bill to incorporate the town of Lawrenceville, in Gwinnett county, and for other purposes.

On motion the same was indefinitely postponed.

Mr. McGehee moved to suspend the rules for the purpose of offering a Resolution, which was agreed to.

Mr. McGehee offered the following Resolution:

WHEREAS, The State of Georgia feels a deep interest in the action of her sister Southern States, growing out of the alarming condition of our Federal Relations:

Be it resolved, by the Senate and House of Representatives of the State of Georgia, That his Excellency, the Governor, is hereby authorized and requested to appoint two Commissioners to each of the Southern States that have called Conventions of the people to consider the state of our Federal Relations, said Commissioners to proceed to the capitol of the State to which they are accredited, and to be present during the session of such Convention.

Mr. Spalding moved to amend the foregoing by striking out in the preamble the word "alarming," which was agreed to.

Mr. Trippe moved further to amend by adding the following: "And that said Commissioners shall ask the States

to which they may be severally sent, to postpone final action until a Conference of the Southern States, or such as may be willing to consult together, can be had, and that such Southern Conference be held by the first day in February next."

Pending which the hour of adjournment having arrived, the President adjourned the Senate until 3 o'clock. P. M.

3 O'CLOCK, P. M.

Senate met according to adjournment.

Senate resumed the consideration of the unfinished business of the morning, which was a Resolution relative to sending two Commissioners to the Southern States that have called Conventions, and the amendment pending thereto.

Mr. Hill of Troup offered the following as a substitute in lieu of the pending amendment :

"And this General Assembly having ordered the call of a Convention of the people of this State to determine the mode, measure, and time of resistance" as far as relates to Georgia, and all definite action having been referred to that Convention, said Commissioners are requested to be appointed to confer with and ascertain the feelings and wishes of our sister slaveholding States, without further instructions as to the action of the State of Georgia."

Mr. Brown moved further to amend by inserting at the proper place, the names of persons as Commissioners to the several slaveholding States.

On motion of Mr. Tracy the Resolution and amendments were indefinitely postponed.

Mr. Harris of Worth moved to suspend the rules for the purpose of taking up a Resolution of the House of Representatives, which was agreed to.

Senate took up a Resolution of the House of Representatives, pledging the aid, assistance, sympathy, and encouragement, of the entire State of Georgia, if necessary, to any State which secedes from the Union, and asking the same for Georgia if she secedes.

Mr. Hill of Troup offered the following amendment :

"*And be it further resolved*, That as the interest of the Southern States are declared to be common, we deem it but respectful to all to be consulted, before any one State shall finally secede from this Union."

Mr. Paine moved further to amend by the following:

“And be it further resolved by the General Assembly of the State of Georgia, That the members of the Senate and House of Representatives do hereby tender their services to the Governor in case any Southern State secedes from the Union, and an attempt at coercion by the Federal Government; and should it so happen that a member of either branch of the General Assembly cannot go in person to the assistance of the seceding State, if called on by the Governor the member not being able or willing to respond to the call of the Governor, shall furnish a substitute armed and equipped for the service, and that the Governor be requested to call out the members of the Senate and House of Representatives first in the field; which was lost.”

The question recurring on agreeing the amendment offered by Mr. Hill of Troup, the yeas and nays were recorded, and were yeas 56, nays 51.

Those who voted in the affirmative, were Messrs:

Alexander, Alfred, Billups, Boggs, Bond, Briscoe, Cloud, Cook, Cowen, Davis, Donaldson, Ferrill, Flewellen, Grice, Lightower, Hill of Troup, Hines, Holt, Hood, Hyde, Jevy, Jamison, Johnson of Clayton, Jones, Kirby, Lenoir, Lockhart, Lott, Maples, McLeod, McRea, Moore of Whitfield, Paine Quillian, Reid of Morgan, Reid of Taliaferro, Riley, Ritch, Roberts, Rushin, Shelton, Sheppard, Smith of Hancock, Summerour, Tarver, Turner, Trippie, Walker, Wallace, Ward, Ware, Wells, Whitehurst, Whitworth, Williams of Rabun, Wynne.

Those who voted in the negative were Messrs:

Ashley, Atkinson, Barclay, Barrow, Bartlett, Batts, Brown, Burnett, Byars, Carter of Elbert, Collier, Cooper, Jones, Delaperriere, Denham, Evans, Fulton, Gartrell, Gascon, Glover, Green, Griffin of Twiggs, Hackett, Hart, Harris of Dougherty, Harris of Worth, Hill of Wilkes, Johnson of Cass, Jordan, King, Lamar, Lawton, Merrill, McDuffie, McGehee, Moore of Laurens, Oliver, Printup, Pruitt, Robinson, Sawyer, Shellnut, Snell, Spalding, Sturges, Tillman, Tracy, Urv, Wellborn, White, Wilson.

So the motion to amend prevailed.

On motion of Mr. Harris of Dougherty, the Resolution and amendments were indefinitely postponed.

On motion the Senate adjourned until 9½ o'clock to-morrow morning.

SATURDAY, DECEMBER 15TH, 1860. }

9½ O'CLOCK, A. M. }

Senate met according to adjournment, and was opened with prayer by Rev. Mr. Flynn.

Mr. Harris of Worth, moved to reconsider so much of the Journal of yesterday as relates to the action of the Senate, on a resolution of the House of Representatives, pledging aid, assistance, sympathy and encouragement of the entire people of Georgia, if necessary, to any State which secedes from the Union, and asking the same for Georgia in case she secedes.

Mr. Harris of Worth moved the previous question, which being seconded, the main question was ordered to be put, and upon the question "shall the motion to reconsider prevail?" the yeas and nays were recorded, and were yeas 50, nays 48.

Those who voted in the affirmative, were Messrs.

Ashley, Atkinson, Barclay, Barrow, Bartlett, Batts, Brown, Burnett, Byars, Carter of Elbert, Cooper, Cone, Cowen, Delaperriere, Denham, Evans, Fulton, Gartrell, Gaston, Glover, Green, Griffin of Twiggs, Hart, Harris of Dougherty, Harris of Worth, Hightower, Hill of Wilkes, Hitchcock, King, Lamar, Lawton, Merrill, McDuffie, McGehee, Moore of Laurens, Moore of Whitfield, Oliver, Printup, Pruitt, Robinson, Sawyer, Shelton, Shellnut, Snell, Spalding, Tracy, Usry, Wellborn, White, Whitworth.

Those who voted in the negative are Messrs.

Alexander, Allred, Billups, Boggs, Bond, Briscoe, Carter of Echols, Cloud, Cook, Davis, Donaldson, Ferrill, Flewellen, Grice, Hill of Troup, Hines, Holt, Hood, Hyde, Ivey, Jamison, Johnson of Clayton, Jones, Lockhart, Maples, McLeod, McRae, Paine, Quillian, Reid of Morgan, Reid of Taliaferro, Riley, Ritch, Roberts, Rushin, Sheppard, Sturges, Tarver, Tillman, Turner, Trippe, Walker, Wallace, Ware, Wells, Whitehurst, Williams of Rabun, Wynne.

Yeas 50, nays 48. So the motion to reconsider prevailed.

Mr. Harris, of Dougherty, from the Committee on Enrollment, reported, as duly enrolled and ready for the signature of the President of the Senate:

An act to authorize and prescribe the mode of contro-

ting the answers to certioraris, and to try issues made reupou, and for other purposes.

The following message was received from the House of representatives, by Mr. Hillyer, their Clerk :

Mr. President—The House of Representatives have passed the following bills :

A bill for the relief of Solomon Newson, of Lowndes county, and for other purposes.

A bill to regulate the retailing of spirituous liquors in the counties of Chattooga and Dade.

A bill to regulate the fees of Magistrates and Constables in the city of Augusta, and for other purposes.

A bill to define the jurisdiction of Justices of the Peace in the city of Macon, and to amend the laws regulating fees of Constables and Justices of the Peace, in the county of Wilkes.

A bill for the relief of John C. Reese of the county of Chattahoochee.

A bill to declare a sale made by the Representative of the estate of Isaac Boring deceased, of a certain House and lot in the town of Eatonton, known as the Broadfield Lot, made in the year 1852, illegal, and void, and to allow James M. Broadfield, the present Administrator on said estate leave to sell and make good and sufficient titles to the same in such manner as he shall deem most advantageous to the interest of said estate.

A bill to alter and amend an act, to define and establish the fees of Ordinaries, Clerks of the Superior and Inferior Courts, Sheriffs, Jailors, Justices of the Peace, and Constables of this State, and for other purposes, so far as the same relates to the fees of Sheriffs, in the county of Gordon.

A bill to repeal an act assented to the 19th of February, 1856, entitled an act, to compensate Grand and Petit Jurors in the counties of Catoosa and Polk, so far as the same relates to the county of Catoosa, and for other purposes therein named.

A bill for the relief of Hiram L. Travis of the county of Baldwin from double tax.

A bill to repeal an act, passed December 20th, 1849, entitled an act to regulate the fees of Attorneys and Solicitors General, and for other purposes therein specified, so far as the same may relate to the county of Chattooga in the Cherokee Judicial Circuit, and the county of Floyd, in the Hall County Judicial Circuit, also to the counties of Dade and Gordon, in this State, and for other purposes.

A bill to amend the Attachment Laws of the State of Georgia.

A bill to repeal an act entitled an act to authorize the In-

ferior Court of Early county, to levy a road tax, and for other purposes.

A bill to repeal an act entitled an act to abolish imprisonment for Debt on certain conditions therein set forth, and for other purposes, assented to December 11th, 1858, so far as the same relates to the county of Bibb.

A bill to change the name of the Southern Central Agricultural Society, and to appropriate money for the same.

Also a bill to incorporate the Coosa Bank, and for other purposes.

A bill for the relief of William E. West, of the county of Polk.

A bill to confer upon certain illegitimate persons therein named, the rights and privileges that would have belonged to them, had they been born in lawful wedlock upon certain conditions, and to make them heirs at law, of certain persons, and for other purposes.

A bill for the relief of Mrs. Annie T. Carroll, wife of Robert Carroll, of Richmond county.

A bill to provide for an Agricultural and Geological Survey of the State, and for other purposes.

The House have also passed the following bills of the Senate:

A bill to provide for the distribution and disbursement of the Common School Fund, to which the county of Gilmer is, or may be entitled under, and by virtue of an act passed on the 11th day of December, 1858, and for other purposes therein mentioned.

A bill to authorize and prescribe the mode of controverting the answers to certioraris and to try issues made thereupon, and for other purposes.

The following message was received from his Excellency the Governor, by Mr. Waters, his Secretary, to-wit:

Mr. President: I am directed by the Governor to lay before the Senate a communication in writing, in relation to the reception of a Commissioner from the State of Mississippi.

Leave of absence was granted Messrs. Tillman and Whitehurst, on special business.

On motion the Senate adjourned until 3 o'clock, P. M.

THREE O'CLOCK P. M.

Senate met according to adjournment.

On motion of Mr. Billups the following communication

in writing from His Excellency the Governor, was taken up and read :

EXECUTIVE DEPARTMENT, }
MILLEDGEVILLE, GA., Dec. 15th, 1860. }

• To the General Assembly :

I have the pleasure to inform you that the Hon. William L. Harris, who has been appointed by the Governor of the State of Mississippi by authority of the Legislature of that State, a Commissioner to this State, to inform the people of Georgia, through their Executive and Legislature, that the State of Mississippi has called a Convention of the people of that State, for the purpose of considering our present grievances, &c., and asking our co-operation in the adoption of efficient measures for the common defence and safety of the South, has been received at this Department, and is now ready to confer with the General Assembly upon the subject of his important mission.

I herewith enclose a copy of the Commission of Judge Harris, and ask for him the courtesy and consideration due his high position as a gentleman, and as the Representative of a sovereign sister State, with whom we have a common interest and a common destiny.

JOSEPH E. BROWN.

Mr. Billups offered the following resolution, which was taken up, read and agreed to:

Resolved, By the General Assembly, that a committee of two on the part of the Senate, and two on the part of the House of Representatives, be, and they are hereby appointed to wait upon the Hon. William L. Harris, Commissioner from the State of Mississippi, to the State of Georgia, to confer with him on the mode most agreeable to himself, of communicating to the General Assembly, the object of his mission.

In pursuance of which the President appointed Messrs. Billups and McGehee, as the committee on the part of the Senate.

Mr. Billups offered the following resolution which was taken up, read and agreed to.

Resolved, That the Hon. William L. Harris, Commissioner to the State of Georgia, from the State of Mississippi be invited to a seat in the Senate Chamber.

On motion the rules were suspended, and the Senate took up as the report of the committee of the whole, a bill of the House of Representatives, for the relief of Leonard A. Simpson, of the county of Cobb.

The report was agreed to, the bill was read the third time, and passed.

The Senate took up, as the report of the Committee of the whole, the special order, which was a bill to amend an act to lay out and organize a new county from the counties of Lumpkin and Gilmer.

The Special Committee to whom said bill was referred, offered a substitute in lieu of the original bill, which was agreed to.

The report as amended was agreed to, the bill was read the third time and passed.

The Senate took up, as the report of the Committee of the whole, a bill for the relief of James P. Wilkinson, of the county of Walton.

The report as amended was agreed to, the bill was read the third time and passed.

The Senate took up as the report of the Committee of the whole, a bill to change the line between the counties of Fayette and Clayton.

The report was agreed to, the bill was read the third time and passed.

The Senate took up, as the report of the Committee of the whole, a bill to incorporate the town of Belleville in Richmond county.

The report was agreed to. The bill was read the third time and passed.

The Senate took up, as the report of the Committee of the whole, a bill amendatory of an act incorporating the town of Butler in Taylor county.

Mr. Tripp moved to amend the report by adding an additional section amendatory of the act incorporating the town of Forsyth in the county of Monroe, which was agreed to.

Mr. Johnson, of Clayton, moved further to amend the report by adding an additional section amendatory of the Act incorporating the town of Jonesboro; which was agreed to.

The report as amended was agreed to, the bill was read the third time, and passed.

The Senate took up as the report of the Committee of the Whole, a bill to reduce the work on roads in this State, so far as relates to the county of Appling.

The report was agreed to. The bill was read the third time and passed.

The Senate took up, as the report of the Committee of the Whole, a bill to change the line between the counties of Terrell and Webster.

The report was agreed to. The bill was read the third time and passed.

The Senate took up as the report of the Committee of the Whole, a bill for the relief of E. T. Linah, of Warren county from double tax.

The report was agreed to. The bill was read the third time and passed.

The Senate took up as the report of the Committee of the Whole, a bill to incorporate the Warren County Agricultural Society.

The report was agreed to, the bill was read the third time and passed.

The Senate took up, as the report of the Committee of the Whole, a bill to provide for the disposition of the estate of Frances Brooks, late of Marion county, deceased.

The report was agreed to. The bill was read the third time and passed.

The Senate took up, as the report of the Committee of the Whole, a bill to incorporate the Atlanta Publishing Company.

The report was agreed to. The bill was read the third time and passed.

The Senate took up as the report of the Committee of the Whole, a bill to amend an Act to regulate the fees of jurors in Justices' Courts, in the counties of Catoosa and Dade, so far as the same relates to the county of Catoosa.

The report was agreed to. The bill was read the third time and passed.

The Senate took up, as the report of the Committee of the Whole, a bill to authorize and require the Ordinary of Lumpkin county to pay William K. McGhee for teaching poor children in said county.

Mr. Riley offered the following as a substitute in lieu of the original bill:

A bill for the relief of William K. McGhee, of the county of Lumpkin, and for other purposes.

Mr. Shelton moved further to amend the report by adding an additional section, requiring the Ordinary to pay Mrs. Elizabeth Ann Shelton, of White county: which was agreed to.

The report as amended was agreed to. The bill was read the third time and passed.

The Senate took up, as the report of the Committee of the Whole, a bill to incorporate the Glover Guards, in Monticello, Jasper county.

Mr. Fulton moved to amend the report by adding an additional section incorporating the Thompson Guards, in the county of Columbia; which was agreed to.

Mr. Carter, of Elbert, moved further to amend the report by adding an additional section incorporating the Fireside Guards, of Elbert county ; which was agreed to.

The report as amended was agreed to, the bill was read the third time, and passed.

The Senate took up, as the report of the Committee of the Whole, a bill to authorize the Inferior Court of Lowndes county to pay, out of the county funds, the commissioners appointed, under an Act entitled An Act to remove the county-site of Lowndes county, and for other purposes, assented to Nov. 21st, 1859.

The report was agreed to. The bill was read the third time and passed.

The Senate took up as the report of the Committee of the Whole, a bill to authorize A. Wallace Stark, of the State of Alabama, to act as administrator on the estate of George W. Harrison, deceased, late of the county of Baldwin, and for other purposes.

The report was agreed to ; the bill was read the third time and passed.

The Senate took up as the report of the Committee of the Whole, a bill to confer certain privileges therein mentioned on the Cotton Planters' Association of Georgia.

Mr. Tracy moved to amend the report by striking out the word "association," wherever it occurs, and insert the word "convention;" which was agreed to.

The report as amended was agreed to, the bill was read the third time and passed.

The Senate took up as the report of the Committee of the Whole, a bill to run and continue in force an Act amendatory of, and additional to, an Act to alter and amend an Act to provide for the compensation of Grand Jurors of Lumpkin county, and for other purposes.

The report was agreed to. The bill was read the third time and passed.

The Senate took up, as the report of the Committee of the Whole, a bill to incorporate the Baptist Church of Christ, at Deep Spring, in Whitfield county.

Mr. Cloud moved to amend the report by adding an additional section incorporating the McDonough Methodist Camp Ground; which was agreed to.

Mr. Moore, of Whitfield moved further to amend the report by incorporating Bold Spring Methodist Camp Ground; which was agreed to.

Mr. Quillian moved further to amend the report by incorporating the Mountain Town Methodist Camp Ground; which was agreed to.

The report as amended was agreed to, the bill was read the third time and passed.

The following message was received from the House of Representatives, by Mr. Hillyer, their Clerk:

Mr. President :—The House of Representatives have adopted a resolution to appoint a committee on the part of the House, to join a like committee on the part of the Senate, to wait on the Hon. William L. Harris, Commissioner from the State of Mississippi to the State of Georgia, and to inform him that the General Assembly will be ready to receive and hear him on the important subject of his mission, in the Hall of the House, on Monday next, 17th inst., at 12 o'clock, M.—In which they ask the concurrence of the Senate.

They have appointed Messrs. Hartridge, Smith of Towns, Mannin, Ely and Tatum, as the committee on the part of the House.

I am directed to transmit the same forthwith to this branch of the General Assembly.

On motion the rules were suspended, and the Senate took up a resolution of the House of Representatives in relation to the Hon. William L. Harris, Commissioner from the State of Mississippi to the State of Georgia.

On motion the same was concurred in.

In pursuance of which the President appointed Messrs. Phillips, McGehee and Tracy

Mr. Hill, of Troup, from the special committee, made the following report, to-wit:

The committee to whom was referred a bill to pay James C. Estes a sum of money lost by him by reason of an error in the records of the State of Georgia, have examined the facts, and find them to be true, and recommend that the bill do pass.

The Senate took up, as the report of the Committee of the Whole, a bill of the House of Representatives, to provide for the better organization of the Georgia Military Institute, and for other other purposes.

The report was agreed to, the bill was read the third time, and passed.

The Senate took up the following engrossed bill, which had been reconsidered:

A bill to transfer all suits from the Superior Court of Heard county, in which B. H. Wright is defendant, and all papers appertaining to the same, to the Superior Court of the county of Carroll.

The bill was read the third time and passed.

Leave of absence was granted Mr. Lott, on special business.

The Senate took up as the report of the Committee of the Whole, a bill to prevent persons driving cattle of the cow kind into the county of Gilmer, from distempered places.

On motion the same was indefinitely postponed.

The Senate took up as the report of the Committee of the Whole, a bill to lend the credit of the State of Georgia to the Marietta, Ellijay and Ducktown Railroad Company upon the conditions therein named.

On motion the same was indefinitely postponed.

The Senate took up as the report of the Committee of the Whole, a bill to regulate the protest fees of Notary Public.

On motion the same was indefinitely postponed.

The Senate took up, as the report of the Committee of the Whole, a bill to compel Trustees, Guardians, Administrators, &c., to pay into Court from time to time such portions of the income of the estate of cestue que trust legatees, distributees, &c., as shall be necessary to carry on litigation and support said parties during the pendency of the same, and for other purposes.

On motion the same was indefinitely postponed.

The Senate took up, as the report of the Committee of the Whole, a bill to dispose of certain lands drawn in the lotteries of the State, in the years 1803—1805—1820—1821—1827—1832, upon certain conditions therein named.

On motion the same was indefinitely postponed.

The Senate took up, as the report of the Committee of the Whole, a bill to authorize changes in the public roads of this State, upon the conditions therein mentioned.

On motion the same was indefinitely postponed.

The Senate took up, as the report of the Committee of the Whole, a bill for the relief of J. C. Vick, of Telfair county.

On motion the same was indefinitely postponed.

On motion, the Senate adjourned until 7 o'clock P. M.

SEVEN O'CLOCK, P. M.

The Senate met according to adjournment.

On motion the rules were suspended, and the Senate took up the following bill of the House of Representatives,

which was read the second time, and referred to the Committee of the Whole:

A bill for the relief of the Etowah Manufacturing and Mining Company, and for other purposes.

On motion 150 copies of the same were ordered to be printed for the use of the Senate.

The Senate took up the following bill, which were read the second time, and referred to the Committee of the Whole:

A bill to authorise Justices of the Inferior Courts to appropriate the poor school fund to the purchase of food for the poor for the year 1861.

The Senate took up, as the report of the Committee of the Whole, a bill to amend an act for the relief of the counties of Muscogee and Talbot, and the city of Columbus, and for other purposes.

The report was agreed to. The bill was read the third time and passed.

Leave of absence was granted Mr. Roberts, for the balance of the session, on special business.

The Senate took up as the report of the committee of the Whole, a bill to alter and amend the Patrol Laws of this State, and for other purposes.

Mr. White moved to amend the report by adding a proviso; which was agreed to.

The report as amended was agreed to, the bill was read the third time, and lost.

The Senate took up, as the report of the Committee of the Whole, a bill to prevent the dismissal of causes pending in favor of the Central Bank.

Mr. Holt moved to amend the report by adding a proviso thereto.

On motion the same was indefinitely postponed.

The Senate took up, as the report of the Committee of the Whole, a bill to incorporate the Fire Insurance Company of the city of Savannah.

The report was agreed to, the bill was read the third time and passed.

The Senate took up, as the report of the Committee of the Whole, a bill to make the representatives of estates subject to garnishment in certain cases.

The report was disagreed to, and the bill was lost.

The Senate took up, as the report of the Committee of the Whole, a bill to amend the 16th section of the act authorising the issue of attachments and garnishments, assented to 4th March, 1856.

The Committee on the Judiciary to whom said bill was referred, moved to amend the report by striking out the

words, "by one of the plaintiffs in attachment," and by striking out the word "other"; which was agreed to.

The report as amended was agreed to. The bill was read the third time, and passed.

The following message was received from the House of Representatives by Mr. Hillyer their Clerk :

Mr. President : The House of Representatives have passed the following bills :

A bill to compel non-residents of Georgia owning lands in this State, to return and pay tax for the same in the county where the land lies, and for other purposes therein named.

A bill to provide for making parties in certain cases, and for other purposes.

The House have also passed the following bills of the Senate with amendments thereto, in which they ask the concurrence of this branch of the General Assembly :

A bill to incorporate the Savannah, Western and Central Wharf Company.

A bill to compensate Justices of the Peace in the county of Decatur, for making out and returning lists of poor children to the Ordinary of said county.

They have also adopted a resolution instructing the Governor and Superintendent of the Western and Atlantic Railroad, to arrange the schedule of freights on all Breadstuffs passing over the same, so as to make breadstuffs as cheap to the citizens of Georgia as may be compatible with the interests of the State of Georgia, for and during one year from this date.

The Senate took up, as the report of the Committee of the Whole, a bill to create a new county out of the counties of Wayne and Appling.

On motion the same was indefinitely postponed.

The Senate took up, as the report of the Committee of the Whole, a bill to incorporate the Georgia Banking Company, and for other purposes.

The Committee on Banks, to whom said bill was referred, moved to amend the report by inserting in the first section after the word "company," the words "to be located in the city of Columbus, in this State," and by inserting in the fourth section, after the word "until," the words "one hundred thousand dollars stock shall have been bona fide subscribed, and said twenty per cent. payment in gold or silver," and also by adding an additional section to said bill: which was agreed to.

Mr. Harris, of Worth, moved further to amend the report by adding an additional section; which was agreed to.

The report as amended was agreed to, the bill was read the third time and passed.

The Senate took up as the report of the committee of the Whole, a bill amendatory of an act to incorporate the Natchie Hydraulic Mining Company.

The report was agreed to. The bill was read the third time and passed.

The following message was received from the House of Representatives by Mr. Hillyer, their Clerk :

Mr. President—The House of Representatives have passed the following bill, to-wit:

A bill to create and establish a Commissioner of Public Schools, to define the duties, and provide for the appointment of the same.

They have also passed the following bills of the Senate, to-wit:

A bill to change the line between the counties of Macon and Dooly; also,

A bill to give to Clerks of Superior Courts time to make out copies of Bills in Equity, and time to Sheriffs to serve the same; also,

A bill to repeal the the 1st section of an act entitled an act to change the name of William Capers Rhodes, and to legitimate the same; also,

A bill to suppress the use of intoxicating liquors at elections in the county of Murray; also,

A bill for the relief of Silvester Hill, wife of John Hill, of Cobb county; also,

A bill to require the Judges of the Superior Courts of this State to give their charges to Jurors in writing, in the cases therein provided.

The Senate took up, as the report of the Committee of the Whole, a bill to incorporate the Hall county Hydraulic Hose Mining Company, and for other purposes.

On motion the same was indefinitely postponed.

The Senate took up as the report of the committee of the Whole, a bill to alter and amend the several acts relative to the licensing of Physicians in this State, approved December 24th, 1825, and February 13th, 1854, and for other purposes.

Mr. Briscoe moved to amend the report by adding a proviso to the first section of said bill; which was agreed to.

Mr. Briscoe moved further to amend the report by a substitute in lieu of the second section; which was agreed to.

The report as amended was agreed to, the bill was read the third time and passed.

The Senate took up as the report of the Committee of

the Whole, a bill to alter and amend an act to prohibit the sale of deadly weapons, and for other purposes, so far as to add a proviso to the third section thereof.

The report was agreed to, the bill was read the third time and passed.

The Senate took up as the report of the committee of the Whole, a bill to extend the time for opening books of subscription, under the charter of the Central Insurance company of Georgia, and for other purposes.

The report was agreed to, the bill was read the third time and passed.

The Senate took up as the report of the committee of the Whole, a bill to authorise the Ordinaries of this State to issue executions in favor of widows and minors for the 12 months support.

The report was agreed to, the bill was read the third time and passed.

The Senate took up, as the report of the Committee of the Whole, a bill to compel Justices of the Peace in this State to give bond and security, and for other purposes.

On motion the same was indefinitely postponed.

Mr. Harris, of Dougherty, from the Committee on Enrollment, reports as duly enrolled, signed by the Speaker of the House of Representatives, and ready for the signature of the President of the Senate,

A resolution in relation to the Hon. William L. Harris, Commissioner from the State of Mississippi to the State of Georgia.

The following message was received from the House of Representatives, by Mr. Hillyer, their Clerk :

Mr. President—The House of Representatives have passed the following bills of the Senate, to-wit :

A bill to authorise the Commissioners of the town of Waresboro' to open the streets, and for other purposes; also,

A bill to punish persons for obstructing the navigation of Penelton creek, in the county of Tattnall, from the line of Emanuel county to the mouth of said creek ; also,

A bill to change the county lines between the counties of Sumter and Macon, so as to attach the residence of George Walker, of Sumter county, to the county of Macon ; also,

A bill to authorise the Inferior Court of Taylor county, to levy an extra tax for rebuilding the jail of said county ; also,

A bill to change the line between the counties of Wayne and Glynn ; also,

A bill to authorize guardians of free persons of color to

make settlements with the Court of Ordinary, and for other purposes; also,

A bill to amend the 31st section of the attachment law of this State, approved 1th March, 1856; also,

A bill to incorporate the town of Tallapoosa, in the county of Harralson, and to amend an act entitled an act to incorporate the Grand Lodge of Knights of Jericho of the State of Georgia, and for other purposes; also

A bill to prevent the peddling of spirituous liquors in the county of Worth, and other counties therein mentioned, and for other purposes; also,

A bill to authorise Ordinaries of this State to dispose of insolvent estates, when the same shall not exceed the sum of one hundred dollars; also,

A bill to add another section to the Penal Code, so far as relates to the county of Pickens; also,

A bill to authorize the owner or owners of slaves charged with offences against the laws of this State to give bail for such slave or slaves; also,

A bill to incorporate the Young's Female College, in the county of Thomas, at or near Thomasville, for the education of young ladies; also,

A bill to compel guardians, or employers of free negroes, in the counties of Walker and Thomas, to have said negroes reside on the premises of such guardian or employer, with an amendment, in which they ask the concurrence of the Senate; also,

A bill to authorize the Justices of the Inferior Court of of Baker county, to pay the tax Receiver of said county, a per centage for the county tax.

Mr. Harris, of Dougherty, from the committee on enrollment, reports, as duly enrolled and ready for the signature of the President of the Senate, the following bill.

A bill to be entitled an act, to change and alter the county lines between the counties of Macon and Dooly

The Senate took up as the report of the committee of the whole a bill to authorize and require the Governor to contract for five thousand Sharps Breach loading Rifles.

On motion the same was indefinitely postponed.

The Senate took up, as the report of the Committee of the whole, a bill to provide for the distribution of the educational fund and for other purposes.

The committee on free schools and education, reported a substitute; which was agreed to.

The report as amended was agreed to. The bill was read the third time and passed.

The Senate took up as the report of the committee of the whole, a bill to amend the acts of the General Assembly of the State of Georgia, relative to trading with slaves.

On motion the same was indefinitely postponed.

On motion the rules were suspended and the Senate took up as the report of the committee of the whole, a bill of the House of Representatives to appropriate money to compensate the widow and children of David Harrison late of Cobb county, for damages sustained by them, by reason of the killing of the said David Harrison, whilst in the employment of the Western & Atlantic Railroad.

The report was agreed to. The bill was read the third time and passed.

The Senate took up a bill of the House of Representatives to provide for raising a revenue for the political year 1861, and for other purposes.

On motion the same was made the special order for Monday next 10½ o'clock A. M.

The Senate took up as the report of the committee of the whole a bill for the relief of Mrs. Emily E. Grantham wife of John W. Grantham of Cobb county.

The report was agreed to, the bill was read the third time and passed.

Senate took up as the report of the committee of the whole, a bill to require Judges of the Supreme Court of this State to propose and establish rules of practice in the Superior and Inferior Courts in this State.

The report was agreed to. The bill was read the third time and passed.

Senate took up as the report of the committee of the whole, a bill to protect the rights of the people of Georgia.

On motion the same was indefinitely postponed.

The Senate took up as the report of the committee of the whole, a bill to aid the citizens of Georgia, in the construction of Railroads in this State, upon the conditions and limitations herein specified.

On motion the same was indefinitely postponed.

The Senate took up as the report of the committee of the whole, a bill to incorporate the Hephzibah High School.

On motion the same was indefinitely postponed.

The Senate took up as the report of the committee of the whole, a bill to change the line between the counties of Catoosa and Whitfield.

On motion the same was indefinitely postponed.

The Senate took up as the report of the committee of the whole, a bill to authorize a general suspension of the collection of judgments, &c.

On motion the same was indefinitely postponed.

The Senate took up as the report of the committee of the whole, a bill to aid in carrying out the bastardy laws in this State.

On motion the same was indefinitely postponed.

The Senate took up as the report of the committee of the whole, a bill for the relief of married women.

On motion the same was indefinitely postponed.

The Senate took up as the report of the committee of the whole, a bill to amend an act, assented to Dec 15th 1859, relative to itinerant traders in this State.

On motion the same was indefinitely postponed.

The Senate took up as the report of the committee of the whole, a bill the better to secure and protect the rights of married women.

On motion the same was indefinitely postponed.

The Senate took up as the report of the committee of the whole, a bill further to protect the rights and interest of minors and orphans.

On motion the same was indefinitely postponed.

The Senate took up as the report of the committee of the whole, a bill to establish a Military Board for the State of Georgia.

On motion the same was indefinitely postponed.

The Senate took up as the report of the committee of the whole, a bill to provide for the removal of the Penitentiary.

On motion the same was indefinitely postponed.

The Senate took up as the report of the committee of the whole, a bill to amend an act to incorporate the Georgia and Alabama, Railroad Company.

On motion the same was indefinitely postponed.

The Senate took up as the report of the committee of the whole, a bill to incorporate the bank of Lafayette.

On motion the same was indefinitely postponed.

The Senate took up as the report of the committee of the whole, a bill to incorporate the Georgia Mining Company in the county of Carroll.

On motion the same was indefinitely postponed.

* The Senate took up as the report of the committee of the whole, a bill to rid the State of Georgia of free persons of color, and for other purposes.

On motion the same was indefinitely postponed.

The Senate took up as the report of the committee of the whole, a bill to repeal so much of an act, as prohibits the peddling of tobacco without license.

On motion the same was indefinitely postponed.

The Senate took up as the report of the committee of the whole, a bill to repeal an act, changing the time of holding the election for county officers.

On motion the same was indefinitely postponed.

The Senate took up as the report of the committee of the whole, a bill to lay out a new county from the counties of Hall and Gwinnett, and for other purposes.

On motion the same was indefinitely postponed.

The Senate took up as the report of the committee of the whole, a bill to lay out a new county from the counties of Chattooga and Walker.

On motion the same was indefinitely postponed.

The Senate took up as the report of the committee of the whole, a bill to make it the duty of travis juries, upon the trial of persons indicted for the commission of offences punishable by fine or imprisonment, or by both fine and imprisonment, in the common jails of this State, to fix in their verdict of guilty the amount of the fine or imprisonment, or both, as they may think proper, not greater nor less than that presented by law.

On motion the same was indefinitely postponed.

The Senate took up as the report of the committee of the whole, a bill to make certain the decisions of the Supreme Court of this State, with regard to the construction of the the 9th chapter of the statute of 32d Henry 8th.

On motion the same was indefinitely postponed.

The Senate took up as the report of the committee of the whole, a bill to establish the office of Adjutant and Inspector General of the State of Georgia.

On motion the same was indefinitely postponed.

The Senate took up as the report of the committee of the whole, a bill to amend an act to regulate the Agencies of Foreign Insurance Companies, assented to Dec. 12th, 1859, and to add an additional clause to the first section of said act.

On motion the same was indefinitely postponed.

The Senate took up the following bill which had been amended in the House of Representatives,

A bill to incorporate the Savannah, Western & Central Wharf Company.

On motion the amendments were concurred in.

The Senate took up the following bill which had been amended in the House of Representatives.

A bill to compel guardians or employers of free negroes in the counties of Walker and Thomas, to have said free negroes reside on the premises of such guardian or employer, and for other purposes.

On motion the amendment was concurred in.

The Senate took up the following bill which had been amended in the House of Representatives,

A bill to provide for the distribution and disbursement of the common school fund, to which the county of Gilmer is or may be entitled, under and by virtue of an act passed on the 11th day of Dec. 1858, and for other purposes therein mentioned.

On motion the amendment was concurred in.

The Senate took up the following bill which had been amended in the House of Representatives,

A bill to compensate Justices of the Peace in the county of Decatur, for making out and returning list of poor children to the Ordinary of said county.

On motion the amendment was concurred in.

The Senate took up a bill of the House of Representatives to appropriate money to compensate Josiah J. Anderson for damages sustained as therein set forth, and for other purposes.

On motion the same was made the special order for Monday next.

The Senate took up a bill of the House of Representatives to approve, adopt and make of force in the State of Georgia a revised code of laws, prepared under the direction and by authority of the General Assembly thereof, and for other purposes therewith connected.

On motion the same was made the special order for Monday next.

The Senate took up a bill to repeal any and all laws making it penal for carrying of concealed weapons.

On motion the same was made the special order for Monday next.

Senate took up as the report of the committee of the whole, a bill of the House of Representatives to add lot of land No. 354 to the county of Lowndes now Echols county, and to change so far the county lines, also to change the line between the counties of Pickens and Gordon.

The report was agreed to. The bill was read the third time and passed.

On motion the rules were suspended, and the Senate took up the following bill of the House of Representatives, which was read the first time.

A bill to establish a mounted Police in the county of McIntosh, to levy an extra tax upon the slave holders of the two hundred and seventy-first and 22d districts, Georgia Militia, in said county, and for other purposes.

On motion the Senate adjourned until 9½ o'clock Monday morning.

MONDAY, DEC. 17TH, 1860.

9½ O'CLOCK, A. M.

Senate met according to adjournment, and was opened with prayer by Rev. Mr. Curtis.

Leave of absence was granted Mr. Atkinson for the balance of the session.

Mr. Quillian moved to reconsider so much of the Journal of Saturday as relates to the vote by which a bill to prevent persons driving cattle of the cow kind into the county of Gilmer, from distempered places, was indefinitely postponed, which was agreed to.

Mr. Wallace moved to reconsider so much of the Journal of Saturday as relates to the vote by which a bill to compel trustees, guardians, administrators, executors, &c., to pay into Court a portion of the income of the estate for certain purposes, was indefinitely postponed; which was lost.

Mr. McDuffie moved to reconsider so much of the Journal of Saturday as relates to the vote by which a bill to rid the State of Georgia of free negroes was indefinitely postponed; which was lost.

Mr. Billups from the Committee on Agriculture made the following report, to-wit:

The Committee on Agriculture to whom was referred a bill appropriating money to the Cotton Planter's Convention, have had the same under consideration, and report the same back to the Senate with an amendment and recommend its passage.

Senate took up as the report of the committee of the whole a reconsidered bill to prevent persons driving cattle of the cow kind into the county of Gilmer from distempered places.

Mr. Ware moved to amend the report by adding a proviso; which was agreed to.

Mr. Harris of Worth moved to indefinitely postpone the same, upon agreeing to which motion the yeas and nays were recorded, and were yeas 28, nays 51.

Those who voted in the affirmative, were Messrs:

Boggs, Byars, Carter of Echols, Carter of Elbert, Cone, Cowen, Delaperriere, Denham, Fulton, Gartrell, Glover, Green, Griffin of Twiggs, Hart, Harris of Dougherty, Harris of Worth, Hightower, Lamar, Lockhart, Maples, McDuffie, McLeod, Oliver, Robinson, Sawyer, Snell, Spalding, Wynne.

Those who voted in the negative were Messrs:

Alexander, Alfred, Barclay, Bartlett, Batts, Billups, Bond, Briscoe, Burnett, Cloud, Cook, Davis, Ferrill, Fwellen, Gaston, Hill of Troup, Hill of Wilkes, Holt, Hood, Hyde, Ivey, Jazison, Johnson of Clayton, Jones, Jordan, Lenoir, Merrill, Printup, Quillian, Reid of Morgan, Reid of Taliaferro, Riley, Ritch, Rushin, Shellnut, Sheppard, Smith of Hancock, Smith of Talbot, Sturges, Tarver, Turner.

Tracy, Trippe, Walker, Wallace, Ward, Ware, Wells, White, Whitehurst, Whitworth, Williams of Terrell.

So the motion did not prevail.

Mr. Cone offered the following Resolution, which was taken up, read and agreed to.

Resolved, That Hon. W. W. Paine, Hon. Wm. A. Harris, and Hon. L. H. Briscoe, be a committee to adjust and bring up the unfinished business of the present Session, and that they be allowed five days to transact the same and receive the per diem pay for the same.

On motion of Mr. Johnson of Clayton the rules were suspended, and the the Senate took up as the report of the Committee of the Whole, a reconsidered bill of the House of Representatives, to confer additional powers upon the Justices of the Inferior Courts of the several counties of this State, and for other purposes therein mentioned.

Mr. Sturges moved to amend the report by amending the second section, which was lost.

Mr. Merrill moved further to amend the report by adding a proviso, which was agreed to.

Mr. Spalding moved further to amend the report by exempting certain counties from the provisions of the bill.

Mr. Johnson of Clayton moved to indefinitely postpone the bill and amendments.

Upon agreeing to which motion the yeas and nays were recorded, and were yeas 55, nays 33.

Those who voted in the affirmative were Messrs. :

Alexander, Barclay, Boggs, Burnett, Carter of Elbert, Cooper, Cook, Cone, Cowen, Davis, Denham, Ellwellen, Gartrell, Glover, Green, Hart, Harris of Dougherty, Harris of Worth, Hightower, Hill of Troup, Hill of Wilkes, Hood, Jamison, Johnson of Clayton, Johnson of Cass, Jones, King, Lamar, Lawton, Lenoir, Lockhart, Maples, Merrill, McDuffie, McLeod, Moore of Laurens, Oliver, Paine, Printup, Quillian, Riley, Ritch, Robinson, Sawyer, Shellnut, Smith of Talbot, Spalding, Turner, Tracy, Trippe, Walker, Ward, White, Williams of Rabun, Wilson.

Those who voted in the negative were Messrs. :

Allred, Barrow, Bartlett, Billups, Bond, Briscoe, Byars, Cloud, Delapierriere, Donaldson, Ferrill, Fulton, Griffin of Twiggs, Holt, Hyde, Ivey, McGeehee, Reid of Morgan, Rushin, Shelton, Sheppard, Snell, Sturges, Summerour, Tarver, Usry, Wallace, Ware, Wellborn, Wells, Whitehurst, Whitworth, Williams of Terrell.

So the motion to indefinitely postpone prevailed.

Mr. Harris of Dougherty, from the Committee on Enrollment, reports as duly enrolled, and signed by the Speaker of the House of Representatives, and ready for the signature of the President of the Senate:

An Act, to provide for the better organization of the Georgia Military Institute, at Marietta; to appropriate money for the same, and for other purposes therein mentioned. Also,

An Act to authorize his Excellency the Governor to draw his warrant on the Treasury in favor of Leonard A. Simpson, of the county of Cobb, for a sum therein named, for extra work done, and materials furnished by him in the erection of the Laboratory building of the Georgia Military Institute.

Senate took up as the report of the Committee of the Whole, the special order, which was a bill of the House of Representatives to appropriate money for the support of the Government for the year 1861, and to make certain special appropriations.

Mr. Briscoe moved to amend the report by striking out in the 4th section the word "ten" and inserting in lieu thereof the word "twelve" with explanatory words.

Upon agreeing to which the yeas and nays were recorded, and were yeas 41, nays 50.

Those who voted in the affirmative were Messrs:

Alfred, Barclay, Barrow, Billups, Boggs, Briscoe, Burnett, Byars, Carter of Echols, Cloud, Cooper, Cook, Davis, Ferrill, Flewellen, Fulton, Gartrell, Hill of Troup, Hill of Wilkes, Holt, Hood, Johnson of Clayton, King, Lawton, Lockhart, McDuffie, McGehee, Oliver, Paine, Printup, Reid of Morgan, Robinson, Rushin, Shelton, Smith of Hancock, Tarver, Turner, Tracy, Ward, Wellborn, Whitehurst.

Those who voted in the negative were Messrs:

Alexander, Bartlett, Batts, Bond, Carter of Elbert, Cone, Cowen, Delaperriere, Denham, Donaldson, Evans, Glover, Green, Griffin of Twiggs, Hart, Harris of Dougherty, Harris of Worth, Hightower, Hyde, Ivey, Jamison, Jones, Jordan, Lamar, Lenoir, Maples, Merrill, McLeod, Moore of Laurens, Quillian, Reid of Taliaferro, Riley, Ritch, Sawyer, Shellnut, Sheppard, Smith of Talbot, Snell, Sturges, Summerour, Usry, Walker, Ware, Wells, White, Whitworth, Williams of Rabun, Williams of Terrill, Wilson, Wynne.

So the motion was lost.

Mr. Briscoe moved further to amend the report by adding the following to the 4th section:

"Also the further sum of five thousand dollars be and

the same is hereby appropriated, or so much of the said sum as may be necessary, to enable the Superintendent of said Asylum to procure a more abundant supply of Water, to complete the unfinished walls, to erect an iron railing around the front yard, and to make other necessary improvements about the premises; which was lost.

Mr. Briscoe moved further to amend the report by adding the following to the 4th section: "Also the further sum of five hundred and sixty dollars and six cents, be, and the same is hereby appropriated to an unpaid balance outstanding against the building commissioners of said Asylum, to be drawn by warrant on the Treasury; which was agreed to.

Mr. Harris of Worth moved further to amend the report by appropriating the sum of eight hundred dollars as a salary during the present session to Thos. W. J. Hill, Journalising Clerk of the Senate, for extra services in Journalizing the proceedings of county meetings relative to our Federal Relations, during the present Session; which was agreed to.

Mr. Harris of Worth moved further to amend the report by appropriating to F. H. West the sum of twenty-eight dollars for abstract of Journal relating to the pardon of John Fundy; which was agreed to.

The following Message was received from the House of Representatives, by Mr. Hillyer, their Clerk:

Mr. President:—I am directed by the House of Representatives to inform the Senate that they are now ready to receive them in their Hall for the purpose of hearing the Honorable William L. Harris, Commissioner from the State of Mississippi.

On motion the Senate repaired to the Representative Hall, and, after being seated, the Hon. William L. Harris, Commissioner from the State of Mississippi, was received, and made known the cause of his mission.

On motion the Senate repaired to their chamber.

Mr. King offered the following resolution, which was taken up, read and agreed to:

Resolved, That a joint select committee be appointed, of six on the part of the Senate, and seven on the part of the House of Representatives, to consider and report the proper forms and terms in which to express the opinion of this General Assembly, in response to the friendly and important communication from the State of Mississippi, through her Commissioner, the Hon. William L. Harris.

In pursuance of which, the President appointed Messrs.

King, Holt, Moore of Laurens, Lawton, Printup and Briscoe, as the committee on the part of the Senate.

Mr. Jordan moved that one thousand copies of the address of the Hon. Wm. L. Harris be printed for the use of the Senate; which was agreed to.

The Senate having resumed the consideration of the report of the bill to appropriate money for the support of government, for the year 1861,

Mr. Fulton moved further to amend the report by appropriating one hundred dollars each to the calendar clerks of the Senate and House of Representatives; which was lost.

• Mr. Harris, of Worth, moved further to amend the report by striking out, in the 9th section, the word "fifty," and inserting in lieu thereof the word "twenty-five;" which was agreed to.

Mr. Hart moved further to amend the report by striking out, in the 14th section, "three hundred," and inserting "one hundred and fifty;" which was agreed to.

Mr. Oliver moved further to amend the report by allowing the commissioners the same mileage as members of the General Assembly; which was agreed to.

Mr. Paine moved further to amend the report by striking out the whole of said section.

Upon agreeing to which motion the yeas and nays were recorded, and were yeas 16, nays 71.

Those who voted in the affirmative are Messrs :

Alexander, Brown, Cooper, Glover, Holt, Hyde, Ivey, Johnson of Clayton, McLeod, Paine, Reid of Taliaferro, Riley, Sturges, Summerour, Walker, Whitworth, Williams of Rabun.

Those who voted in the negative are Messrs.

Allred, Barclay, Barrow, Bartlett, Batts, Billups, Boggs, Bond, Briscoe, Burnett, Carter of Elbert, Cloud, Cook, Cone, Davis, Delaperriere, Denham, Donaldson, Evans, Ferrill, Flewellen, Fulton, Gartrell, Green, Griffin of Twiggs, Hart, Harris of Dougherty, Harris of Worth, Hightower, Hill of Troup, Hill of Wilkes, Hood, Jamison, Johnson of Cass, Jones, Jordan, King, Lawton, Lenoir, Lockhart, Maples, Merrill, McDuffie, McGehee, Moore of Laurens, Oliver, Quillian, Reid of Morgan, Ritch, Robinson, Sawyer, Shelton, Shellnut, Sheppard, Smith of Hancock, Smith of Talbot, Snell, Spalding, Tarver, Turner, Tracy, Trippe, Usry, Ware, Wellborn, Wells, White, Whitehurst, Williams of Terrell, Wilson, Wynne.

So the motion to strike out did not prevail.

The hour of adjournment having arrived, the Senate adjourned until 3 o'clock, P.M.

THREE O'CLOCK, P.M.

The Senate met according to adjournment.

The Senate resumed the consideration of the unfinished business of the morning, which was, a bill to appropriate money, &c.

Mr. Hyde moved further to amend the report by striking out the 18th section; which was lost.

The Committee on Finance moved further to amend the report by adding an additional section for the payment of delegates &c. to the convention called by the General Assembly; which was agreed to.

The Finance Committee moved further to amend the report by appropriating twenty-four hundred dollars to pay the expenses of Hon. Howell Cobb, of Houston, as Commissioner of the Cotton Planters' Convention, to Europe.

Upon agreeing to which motion the yeas and nays were recorded, and were yeas 72, nays 19.

Those who voted in the affirmative are Messrs.

Alexander, Barclay, Barrow, Batts, Billups, Boggs, Bond, Briscoe, Brown, Burnett, Byars, Carter of Echols, Carter of Elbert, Cooper, Cook, Cowen, Delaperriere, Denham, Donaldson, Evans, Ferrill, Flewellen, Fulton, Gartrell, Gaston, Glover, Green, Griffin of Twiggs, Hart, Harris of Dougherty, Harris of Worth, Hightower, Hill of Troup, Hood, Jamison, Johnson of Cass, Jordan, King, Lawton, Lockhart, McDuffie, McGehee, McLeod, Moore of Laurens, Paine, Printup, Quillian, Reid of Morgan, Reid of Taliaferro, Robinson, Rushin, Sawyer, Shelton, Shellnut, Smith of Hancock, Smith of Talbot, Spalding, Sturges, Summerour, Turner, Tracy, Trippe, Usry, Walker, Wallace, Ward, Wellborn, Wells, White, Whitehurst, Williams of Terrell, Wynne.

Those who voted in the negative, are Messrs.

Allred, Cloud, Cone, Hill of Wilkes, Hyde, Ivey, Johnson of Clayton, Jones, Lenoir, Maples, Merrill, Oliver, Riley, Ritch, Sheppard, Snell, Ware, Whitworth, Williams of Rabun.

So the motion to amend prevailed.

Finance Committee moved further to amend the report by appropriating twenty-eight dollars each to Bredenburg Thompson and William K. Moore for taking testimony in contested election of Sheriff, in Whitfield county; which was agreed to.

Finance Committee moved further to amend the report by appropriating the sum of one hundred and thirty-eight

dollars and twelve cents to Milligan P Quillian, former Clerk of the Superior Court of Lumpkin county, for cost due from the Central Bank of Georgia; which was agreed to.

Mr. Tracy moved further to amend the report by appropriating one hundred dollars to D. Wright, Tax Collector of Bibb county, for official services; which was agreed to.

Mr. Printup moved further to amend the report by appropriating a certain sum to John Jones, State Treasurer for extra services; which was agreed to.

Mr. Printup moved further to amend the report by appropriating three thousand dollars for the expenses of the Commissioners of the Belgian American company; which agreed to.

Mr. Brown moved further to amend the report by adding an additional section; which was agreed to.

Mr. Hyde moved further to amend the report by appropriating three hundred dollars to each county, for the support of the poor.

Mr. Smith of Hancock, moved to amend the amendment by striking out "each" and inserting "Fannin county," and by striking out "warrant on the Treasury" and inserting "by taxation on the citizens of Fannin county;" which was agreed to.

The amendment as amended was lost.

Mr. Moore of Laurens moved further to amend the report by appropriating three thousand dollars for removing obstructions in the Oconee river.

Upon agreeing to which motion the yeas and nays were recorded, and were yeas 36, nays 50.

Those who voted in the affirmative, were Messrs.

Barclay, Billups, Briscoe, Byars, Carter of Echols, Cone, Donaldson, Fulton, Gaston, Griffin of Twiggs, Hart, Harris, of Dougherty, Harris of Worth, Holt, Jamison, Johnson of Clayton, Johnson of Cass, Jordan, King, Lawton, McDuffie, McGehee, McLeod, Moore of Laurens, Paine, Printup, Quillian, Ritch, Robinson, Summerour, Tarver, Tracy Usry Wells, Whitehurst.

Those who voted in the negative are Messrs. :

Alexander, Allred, Boggs, Bond, Brown, Carter of Elbert, Cloud, Cooper, Cowen, Davis, Delaperriere, Ferrill, Flewellen, Glover, Green, Hightower, Hill of Troup, Hill of Wilkes, Hood, Hyde, Ivey, Jones, Lamar, Lenoir, Maples, Merrill, Oliver, Ried of Morgan, Ried of Taliaferro, Riley, Rushin, Sawyer, Shelton, Shellnut, Sheppard, Smith of

Hancock, Smith of Talbot, Sturges, Turner, Trippe, Walker, Wallace, Ward, Ware, White, Whitworth, Williams of Rabun, Williams of Terrill, Wynne.

Yeas 33, nays 50. So the motion to amend did not prevail.

Mr. Briscoe moved further to amend the report by appropriating two hundred and fifty dollars to the county of Charlton as amount due from poor school fund; which was agreed to.

Mr. Paine moved further to amend the report by appropriating a sum of money for Physicians bills, and board of certain cadets injured by premature discharge of a cannon during the present session of the General Assembly; which was agreed to.

The report as amended was agreed to. The bill was read the third time, and passed.

The following message was received from the House of Representatives, by Mr. Hillyer, their Clerk :

Mr. President:—The House of Representatives have concurred in a resolution of the Senate, to appoint a joint Select Committee of six on the part of the Senate, and seven on the part of the House, to consider and report the proper form and terms in which to express the opinion of the General Assembly, in response to the friendly and important communication from the State of Mississippi, through her Commissioner, the Hon. William L. Harris, and have appointed the following named gentlemen as the committee on the part of the House of Representatives, to-wit :

Messrs. Hartridge, Lewis of Green, Harris, Fannin, Anderson, Lester and Barnes.

Mr. Harris, of Dougherty, from the committee on enrollment, reported as duly enrolled and ready for the signature of the President of the Senate :

An act to repeal the first section of an act entitled an act to change the name of William Capers Day, of Green county, to that of William Capers Rhodes, and to legitimate the same, and for other purposes therein mentioned, approved February 21st, 1859; also,

An act to give to Clerks of the Superior Courts, time to make out copies of bills in equity, and time to Sheriffs to serve the same; also,

An act to require the Judges of the Superior Courts of this State to give their charges to juries in writing in the cases therein mentioned; also,

An act for the relief of Silvester Hill, wife of John Hill of Cobb county, and for other purposes ; also,

An act to amend the thirty first section of the attachment law of this State, approved 4th March, 1856 ; also,

An act to authorize the Justices of the Inferior Court of Baker county to pay to the Tax Receiver of said county, a per centage for the county tax ; also,

An act to suppress the use of intoxicating liquors at elections in the county of Murray ; also,

An act to punish persons for obstructing the navigation of Fenalton creek, in the county of Tatnall, from the line of Emanuel county to the mouth of said creek in Tatnall county ; also,

An act to authorize the owner or owners of slaves charged with offences against the laws of this State to give bail for such slave or slaves ; also,

An act to authorize the Justices of the Inferior Court of Chatham county, to levy and collect an extraordinary tax for the building of a new county Jail for said county, and for other purposes ; also,

An act to add another section to the Penal Code, so far as relates to the county of Pickens ; also,

An act to prevent the peddling of spirituous liquors in the county of Worth, and other counties therein mentioned and for other purposes ; also,

An act to repeal an act approved Dec. 29th, 1847, entitled an act to authorize the Justices of the Inferior Courts of the several counties in this State, to create and lay out any new districts or to change and alter the lines of those already laid out, assented to 23d December, 1839, so far as relates to the counties of Habersham and Rabun ; also,

An act to amend the Patrol laws of this State, so far as relates to the county of Bryan ; also,

An act to change the line between the counties of Wayne and Glynn ; also,

An act to authorize the Commissioners of the town of Waresboro', to open the streets, and for other purpose therein mentioned ; also,

An act to authorize Ordinaries of this State to dispose of insolvent estates when the same shall not exceed the sum of one hundred dollars ; also,

An act to change the county lines between the counties of Sumter and Macon, so as to attach the residence of George Walker of Sumter to the county of Macon also,

An act to authorize the Inferior Court of Taylor county to levy an extra tax for the purpose of rebuilding the Jail of said county ; also,

An act to authorize guardians of free persons of color to

make settlements with the Court of Ordinary, and for other purposes ; also,

An act to incorporate Dallas Male and Female Academy and to appoint Trustees thereof ; also,

An act to repeal an act entitled an act to amend the charter of the town of Monticello, in Jasper county, so as to give the election of Marshal of said town to the legal voters of said town, assented to December 11th, 1858 ; also, to authorize the Board of Commissioners of said town to elect or appoint a Marshal and Deputy Marshal for said town, and to define the tenure of said officers, and to authorize said Board to remove said officers for certain causes, and further to authorize said Board to punish persons for a violation of the Ordinances of said town, and for other purposes therein mentioned.

Also to incorporate the town of Summerville in the county of Chattooga ; also,

An act to incorporate the Young's Female College in the county of Thomas, near Thomasville, for the education of young ladies.

The following message was received from the House of Representatives, by Mr. Hillyer, their Clerk :

Mr. President :—The House of Representatives have passed the following bills of the Senate, to wit :

A bill to amend an act, approved 27th February, 1856, to incorporate the Ocmulgee Mills in Butts county, and to increase the capital stock of the same ; also,

A bill to authorize the Board of Education of Butts county to allow, and require the Ordinary of said county, to pay to Addison Taliaferro, a teacher of poor children, for the year 1857, and Thomas J. Hammond, a teacher of poor children for the year 1858, out of any money belonging to the poor school fund of said county, with an amendment, in which they ask the Senate to concur ; also,

A bill to incorporate the Poplar Spring Methodist Church in the county of Franklin, and to amend and change the several acts incorporating the town of Thomasville, in the county of Thomas ; also,

A bill to authorize the Ordinaries of Walton and Newton counties, to pay certain poor children ; also,

A bill to incorporate the Annacalola Camp Ground of the M. E. Church, in Dawson county, and for other purposes therein specified ; also,

A resolution of the House in relation to the several Courts of this State adjourning, when the time of sitting interferes with the coming State Convention.

The following message was received from the House of Representatives, by Mr. Hillyer, their Clerk :

Mr. President : The House of Representatives have passed the following bill, to-wit :

A bill to incorporate the Cotton Planters Bank of La-Grange.

They have also passed the following bills of the Senate :

A bill to incorporate Dallas Male and Female Academy and to appoint Trustees therefor ; also,

A bill to authorize Constables in any Militia District in this State, to serve writs and other process outside of their respective districts in certain cases ; also,

A bill to repeal an act entitled an act to amend the charter of the town of Monticello in Jasper county, so as to give the election of Marshal to the legal voters of the same, assented to December 11th, 1858, and for other purposes therein mentioned ; also,

A bill to authorize the Court of Ordinary of the county of Calhoun to pay certain monies, with an amendment, in which they ask the Senate to concur ; also,

A bill to authorize the Justices of the Inferior Court of Chatham county to levy and collect an extraordinary tax for the building of a new Jail, and for other purposes ; also,

A bill to amend the patrol laws of this State, so far as relates to the county of Bryan ; also,

A bill to repeal an act approved Dec. 29th, 1847, entitled an act to repeal an act, to authorize the Justices of the Inferior Courts of the several counties in this State, to create and lay out any new Districts, or change and alter the lines of those already laid out, assented to December 23d, 1839, so far as relates to the counties of Habersham and Rabun.

The hour of adjournment having arrived, the President adjourned the Senate until 7 o'clock, P. M.

SEVEN O'CLOCK, P M.

Senate met according to adjournment.

Leave of absence was granted Mr. Alfred, for the balance of the session, after to-morrow night.

The Senate took up the following bills of the House of

Representatives, which was severally read the second time and referred to the Committee of the Whole:

A bill to amend an act to be entitled an act to regulate Toll Bridges, Ferries, and Turnpike Roads, approved the 17th December, 1859, so as to give the informer one half of the fine imposed upon the party or parties found guilty of violating said act; also,

A bill to allow the Sheriff of the county of Walton certain fees for services therein mentioned, and for other purposes; also,

A bill to amend an act entitled an act to lay out and organize a new county from the counties of Cherokee, Cobb and Forsyth, and for other purposes therein specified, approved December the 18th, 1857, and for other purposes; also,

A bill to incorporate the town of Nebraska, in the county of Banks, and for other purposes; also,

A bill for the relief of Reuben Cloud, of Decatur county; also,

A bill to regulate the practice of physic in the county of Elbert, and for other purposes; also,

A bill to compel joint contractors to contribute and respond to their liabilities at common law, in the cases in said act stated; also,

A bill to enable and authorise the trustees of the Male and Female Academies in Milledgeville to convey land to the State, and to re-invest the value; also,

A bill to authorise the Ordinaries of DeKalb, Madison, Newton, Murray, Macon, Webster, Hart, Spalding, Union, Lumpkin and Walker, to pay certain accounts herein named, for teaching poor children in said counties, and to make the Militia Districts in Johnson county School Districts, and to require the Ordinary of said counties to apportion the school fund, and also to prescribe the mode of apportioning the school fund in the county of Madison, in this State, and for other purposes; also,

A bill for the relief of Mitchell Fountain and Lemuel Lavendar, securities of James Myers, of the county of Wilkinson; also,

A bill amendatory to an act entitled an act to lay out and organize a new county from the counties of Habersham and Franklin, and for other purposes, assented to December 11th, 1858, and to define one of the lines between the counties of Habersham and Banks; also,

A bill to change the line between the counties of Randolph and Calhoun, Early and Miller, Stewart and Quitman Wilcox and Telfair Dooley and Pulaski, Gilmer and Fannin, Lumpkin and White, and for other purposes; also,

A bill to incorporate the Rock Factory, in Warren county, and to confer certain privileges on the same; also,

A bill to authorise the Inferior Court of the county of Johnson, to levy an extra tax to pay Petit Jurors; also, to authorise the Inferior Court of Catoosa county to levy an extra tax, and to consolidate the offices of Tax Collector and Receiver of said county; also, to extend the provisions of an act approved December 20th, 1859, authorising the Inferior Court of the county of Muscogee to levy and collect an extra tax for building a jail in said county, and also to repeal an act to compensate Grand Jurors in the county of Lumpkin, and also to prescribe the manner in which the county tax shall be assessed in the county of Scriven, and for other purposes; also,

A bill to extend the corporate limits of the town of Lafayette, in Walker county; also,

A bill to provide for the retail of spirituous liquors in the counties of Franklin and Hart, and for other purposes; also,

A bill to regulate the sale and retail of spirituous liquors in the county of Richmond; also,

A bill to amend the first section of an act to assess a tax on all persons exhibiting shows of the different descriptions in the counties of Coweta, Merriwether, Gwinnett and Union, in this State, and for other purposes therein named, approved December 26th, 1835, so far as the county of Liberty is concerned; also,

A bill to incorporate and confer certain privileges upon certain Volunteer Companies in the counties of Greene and Wilkes, to extend the same privileges to certain companies therein named, and to any companies which now exist, or may hereafter be formed in certain counties therein named, and for other purposes; also,

A bill to amend and explain the 5th section of an amendatory act on public education, assented to the 21st December, 1859, and for other purposes; also,

A bill to provide for the subjection to levy and sale of all the corporate franchises of all Rail Road companies in this State under judgment and execution at common law; also,

A bill to authorise the appointment of an appraiser or appraisors to assess the value of the right of way and of the timber and materials taken by any Rail Road company in this State, when such Rail Road company shall fail or refuse to appoint, and for other purposes therein mentioned; also,

A bill to be entitled an act to prevent the owners of slaves in the county of Hancock from keeping any number

of slaves on any lot or tract of land which is separate and apart from the premises occupied by the owner without the residence on said land of some white man; also,

A bill to permit and enable Emeline Cole, a free woman of color,, to go into voluntary servitude, and to carry with her her two children, also Emeline Pearce, a free woman of color, of Greene county; also,

A bill for the relief of C. D. Crittenden, of the county of Schley; also,

A bill to relieve any and all persons living and residing in the disputed territory between the counties of Early and Miller of any and all taxes levied upon them by the county of Early for the year 1860, provided that they have paid their taxes in the county of Miller; also,

A bill to repeal the 1st and 2d sections of an act of the 17th December, 1859, relative to defaulters for taxes, and to provide for the relief of said defaulters in certain cases, and to tax certain articles; also,

A bill to prevent the obstructing water courses, muddying lakes, ponds or streams scining therein, poisoning, and thereby destroying fish, and for other purposes; also,

A bill to be entitled an act to authorize the formation of two fire companies in the city of Albany, to be called the Albany Hook and Ladder Company No. 1, and the Albany fire engine Company No. 1; also,

A bill to amend an act entitled an act to incorporate the town of Brunswick, in the county of Glynn, to define its jurisdictional limits, to provide for the election of Mayor and city council, and such other officers as may be required, and confer upon them specific powers, and for other purposes therein mentioned; also,

A bill to give the owners of Livery Stables a lien in certain cases, and to provide for the enforcement of the same, and for other purposes; also,

A bill to alter and change the line between the counties of Coffee and Clinch; also,

A bill to authorise the Governor of Georgia to redeem certain bonds of the Western and Atlantic Railroad, and for other purposes therein mentioned; also,

A bill to require certain services of free persons of color in the county of Lincoln; also,

A bill for the navigation of Beard's creek, in the county of Tattnall, and for the removal of obstructions in the same; also,

A bill to make penal the firing and burning the woods in the county of Colquitt; also,

A bill to amend an act to constitute the town of Cuthbert, in Randolph county a city, to provide for the election of officers, define the powers of the several officers of said

city as well as of said corporation, to extend the limits of Cuthbert, and for other purposes, approved 19th December, 1859; also,

A bill to change the times of holding the Superior Courts in the counties of Montgomery and Bulloch; also,

A bill to regulate the sale of spirituous liquors within the corporate limits of the town of Hartwell, and for other purposes therein mentioned; also,

A bill to establish a Mounted Police in the county of McIntosh, to levy a tax upon the slave holders of the two hundred and seventy-first and seventy-second Districts, Georgia Militia, in said county, and for other purposes therein mentioned.

A bill to partially repeal the operation of an act to levy a tax on all goods peddled in this State, by sample or otherwise, by itinerant drummers, or other persons, and for other purposes, assented to Dec. 15th, 1859; also,

A bill to consolidate the offices of Clerk of the Superior and Inferior Courts of the counties of Randolph and Harris, and for other purposes; also.

A bill for the relief of James McCrairy, Samuel B. Saxon, Wm. Nix, Bluford L. Dyer and Wm. J. Hood, of the county of Union; also,

A bill to prohibit the killing of deer in the county of Emanuel, in certain seasons of the year; also,

A bill to require Justices of the Peace in the counties of Appling and Glynn, to take receipts for all executions and other papers in the hands of Constables of their respective districts, and for other purposes; also,

A bill to incorporate the Walker County Agricultural Society; also,

A bill to alter and change the county line between the counties of Glascock and Jefferson, and for other purposes; also,

A bill to compensate superintendents of elections in the county of Wilcox; also,

A bill to change the mode and manner of distributing the common school fund for the county of Rabun; also,

A bill to authorize the Clerk of the Superior Court and Ordinary of the county of Harris to appoint such persons as they deem competent to manage elections at each precinct in said county; also,

A bill to appoint a Board of Commissioners for the bar of St. Simons and Turtle River, and for other purposes; also,

A bill in relation to the road laws in the county of Lumpkin; also,

A bill to authorize Mark A. Harden to sell certain property therein named, to make titles thereto, to enable Mary

A. Graham, administratrix of John Graham, deceased, to sell at private sale the real property of said estate, and for other purposes; also,

A bill to authorize the Mayor and Council of the city of Macon to subscribe for the stock of organized Rail Road Companies in this State, and to provide for the payment of the same; also,

A bill for the relief of John B. Miller, of Glynn county; also,

A bill to authorize the several school Commissioners in the county of Pickens to establish additional schools, and relieve them from purchasing the lots upon which the school houses may be located, and for other purposes; also,

A bill to authorize married women to deposit money in any Savings Bank or Institution now chartered, or which may hereafter be chartered by this State, and for other purposes therein mentioned; also,

A bill to amend an act approved December 19th, 1859, incorporating the Lumpkin law school, and to incorporate the Evangelical Lutheran Synod, of the State of Georgia; also,

A bill to make legal and valid the sales of Sheriffs heretofore made in all cases when the property sold has been legally advertised by such Sheriff or Sheriffs, notwithstanding the Constable levying upon and selling the same may not have complied with the law in giving bond, &c.

The following message was received from the House of Representatives, by Mr. Hillyer, their Clerk.

Mr. President—The House of Representatives have passed the following bills of the Senate, to-wit:

A bill to provide for the public defence, and for other purposes; also,

A bill to incorporate the Amacalola Creek Hydraulic Hose Mining Company, of the counties of Dawson and Lumpkin, and for other purposes therein specified, with amendments, in which they ask the Senate to concur; also,

A bill to amend an act to alter and amend the 14th section of an act entitled an act to protect the estate of orphans, and to make permanent provisions for the poor, approved November 24th, 1818, so far as relates to the county of Franklin; also,

A bill to amend an act incorporating the town of Grantville, in the county of Coweta, passed 13th February, 1854; and,

To incorporate Albany Lodge, No. 21, of Free and Accepted Masons, of Dougherty county, Georgia; and also,

To incorporate Albany Chapter of Royal Arch Masons

(No. 15.) of the county of Dougherty, State of Georgia, with amendments, in which they ask the Senate to concur; also,

A bill to legalize the levy of an extra tax by the Inferior Court of Lee county, for the purpose of paying for the building of a Turnpike across Muckalee Creek; also,

A bill for the relief of Origin A. V. Rose and Mary M. Wallace, formerly Mary M. Mitchell, of Pulaski county; also,

A bill to amend an act to provide for the education of the children of this State between certain ages, and to provide an annual sinking fund for the extinguishment of the public debt, assented to December 11th, 1858, so far as the same relates to the county of Hall; also,

A bill to alter and amend an act to require all fines collected for the neglect of Road duty in the county of Decatur, to be applied to the improvement of the roads within the district where said default or neglect of duty occurred, assented to 30th December, 1836; also,

A bill for the relief Smith Campbell, late of the county of Worth, now of Butts, also for the relief of John Stuart, of the county of Baldwin, and for other purposes, with amendments, in which they ask the Senate to concur; also,

A bill for the benefit of the McDuffie Rifles, a Volunteer Company, in Warren county; to incorporate the Wire Grass Minute Men, a Volunteer Corps of Light Infantry, now existing in Waresboro', Ware county, and to grant certain privileges to the Jackson Guards, a Volunteer Company now organized in Atlanta, Fulton county; also,

A bill to change the times of holding the Superior Courts of the counties of Washington, Wilkinson, Polk and Carroll, and to add the county of Washington to the Ocmulgee Judicial Circuit, and for other purposes therein mentioned, with amendments, in which they ask the Senate to concur; also,

A bill for the relief of James H. Erwin; also,

A bill for the relief of Wm. J. Ammons, Sarah Ammons, *alias* Sarah Wheeler, and for other purposes therein mentioned; also,

A bill to discharge William Rogers, of the county of Milton, from the Trusteeship of the property of Mrs. Ann C. Lenoir, and her children, and to vest said Trusteeship in John W. Lenoir, the husband of the said Ann C. Lenoir, and for other purposes; also,

A bill to repeal an act requiring the Clerks of the Court of Ordinary of the several counties of this State, to advertise all applications for letters of administration at the Court House door of said counties, thirty days before granting such letters; also,

A bill to compel non-residents of the county of Emanuel owning stock cattle in said county, to pay taxes for the same in said county, with an amendment, in which they ask the Senate to concur; also,

A bill to authorize Executors or Trustees, to invest the money of married women and children, in land and negroes or either, on the terms therein expressed; also,

A bill to incorporate the Georgia Insurance Company; also,

A bill to amend the several acts of the General Assembly relating to the South-western Railroad Company, and to authorize the said company to construct a branch Railroad, and for other purposes; also,

A bill to facilitate the construction of the Macon and Brunswick Railroad; also,

A bill to amend an act to incorporate the Orphan's Home of the Protestant Episcopal Church, in Chatham county, passed Dec. 10th, 1859; also,

A bill to change the line between the counties of Haralson and Carroll, and for other purposes; also,

A bill to authorize Guardians, Trustees, Executors and Administrators to invest in the bonds of the city of Savannah, with amendments in which they ask the Senate to concur; also,

A bill to incorporate the Methodist Episcopal Church and Camp Ground, at Bethlehem, in the county of Walton, in this State, and to appoint Trustees for the same; also,

A bill to compel the Road Commissioners in the several Militia Districts in this State, when there are no Justices of the Peace, to make returns of persons liable to pay taxes in this State; also.

A bill to incorporate the Griffin Fire Company, No. 1, and to constitute the same a military company for certain purposes therein named, and to confer on the members thereof certain privileges and exemptions; to authorise the Atlanta Fire Company, No. 1, to increase their numbers; to incorporate the several Military Companies therein mentioned, and for other purposes; also,

A bill to incorporate the town of Talbotton and extend the limits of the same, and to repeal all laws in relation to said town in conflict with the same; also,

A bill to consolidate the offices of Clerk of the Superior Court, Clerk of the Inferior Court, and Ordinary in the county of Crawford, and to legalize the actings and doings of James J. Ray, as Ordinary for said county.

The following Message was received from His Excellency the Governor, by Mr. Waters his Secretary, to-wit:

Mr. President: I am directed by the Governor to lay before the Senate a special message in writing, in relation to the Manufacturers Bank of Macon, &c.

The following message was received from the House of Representatives, by Mr. Hillyer, their Clerk :

Mr. President:— The House of Representatives have concurred in the Senate amendments to the following bills of the House of Representatives, to-wit:

A bill to compensate the Grand and Petit Jurors of the counties of Brooks, Mitchell, Clinch, Pierce, Glynn, Laurens, Lowndes, and Milton, and to authorize the levying a tax for the same ; also

A bill to incorporate the Pioneer Hook and Ladder Company No. 1, in the town of Athens.

The Senate took up the following bills of the House of Representatives which were severally read the first time:

A bill to authorize the establishment of an Armory in the town of Marietta, in the county of Cobb, and to grant corporate powers and privileges to the same, and for other purposes therein mentioned ; also,

A bill to authorize B. P. Key of the county of Jasper, his heirs and assigns to extend and keep up a dam across the Ocmulgee river, on his own lands, and for other purposes therein mentioned ; also,

A bill to amend the laws of this State in relation to the selection of Jurors in civil and criminal cases ; also,

A bill to incorporate the Nickajack Manufacturing Company, and for other purposes ; also,

A bill to incorporate Fort Valley Female College in the town of Fort Valley, and to incorporate trustees for the same, also to incorporate Charlton Chapel, Nebraska, Banks county, also to incorporate the trustees of Hephzibah High School, at Brothersville, Richmond county, and for other purposes ; also,

A bill to incorporate the town of Canton, in the county of Cherokee, and to appoint Commissioners for the same and define their duties and powers for and in said Corporation ; also,

A bill to amend the charter of the Macon Canal Company, approved Feb. 22d, 1850 ; also,

A bill for the relief of James M. Summers of the county of Forsyth, and for other purposes ; also,

A bill to allow Sheriffs, Constables and Coroners, additional compensation in certain cases therein mentioned, and for other purposes ; also,

A bill to amend the several acts incorporating the city of

West Point, and to make valid the purchase of the bridge across the Chattahoochee river, in said city, by the said authorities and for other purposes therein mentioned ; also,

A bill to incorporate the Southern Eclectic Medical College of the city of Atlanta ; also,

A bill to impose and fix a penalty upon persons failing or refusing to give in for taxes, negroes held in nominal slavery ; also,

A bill to establish a mounted Police in the county of McIntosh, to levy an extra tax upon the slave holders of the two and seventy-one and twenty-second districts, Georgia Militia, in said county, and for other purposes therein mentioned ; also,

A bill to provide for the compulsory attendance of witnesses upon the courts, in all civil and criminal cases in this State ; also,

A bill to incorporate the Citizen Fire Company No. 8, of Augusta, to grant certain privileges to the members of said Company, and for other purposes therein named ; also,

A bill to compensate the superintendants of elections in the county of DeKalb ; also,

A bill to incorporate the Brasstown Baptist Camp ground, in the county of Towns ; also,

A bill for the relief of Daniel W. Shine, of the county of Twiggs ; also,

A bill for the election of Treasurer, in the counties of Harris and Glascock ; also,

A bill to prescribe the oath of witnesses before Grand Juries ; also,

A bill to alter and amend the road laws in the counties of Hart and Warren, Spalding, Crawford, Ware, Rabun, Clayton and Whitfield ; also,

A bill to incorporate the Summerville Academy of Richmond county ; also,

A bill to prevent the hiring of slaves to free persons of color, to provide a penalty for the same, and for other purposes ; also,

A bill to incorporate Sparks Fire Company No. 4 in the city of Macon, and for other purposes ; also,

A bill to divide and distribute real and personal estates, left by will jointly to two or more legatees, without providing for the division of the same ; also,

A bill to determine who shall be the proper collecting officers for the Superior Courts of this State ; also,

A bill to organize the South-Western Battalion of the State of Georgia, and to confer certain privileges upon the same ; also,

A bill to further amend an act entitled an act, to empower the General Courts of Pleas to grant writs of partition of lands and tenement held in coparcenary, joint tenancy and

tenancy in common in this province, and appointing the method of proceeding therein, passed 26th March, 1767, and to amend the acts amendatory thereof, the one passed Dec. 22d 1827, and the other the 26th Dec. 1837, and for other purposes; also,

A bill to alter and change the lines of the incorporation of the town of Jonesboro; also,

A bill to amend an act incorporating the town of Fairburn, in the counties of Fayette and Campbell; also,

A bill to incorporate the village of Summerville, in the county of Richmond, to provide for the election of commissioners for the same, to prescribe the powers and duties of said commissioners, and to incorporate Centre Chapel Camp ground in Appling county, and the Mount Zion Evangelical Lutheran church, and for other purposes; also,

A bill for the relief of the Etowah Manufacturing and Mining Company, to encourage the development of the mineral wealth of Georgia, and for other purposes therein contained; also,

A bill for the regulation of sales by Auctioneers and Vendue Masters within the limits of this State, and for other purposes therein mentioned; also,

A bill to incorporate the Presbyterian and Baptist Churches in the city of Greensboro, and to appoint trustees for the same, and for other purposes; also,

A bill to dispose of the school fund for certain counties therein mentioned, and for other purposes; also,

A bill for the relief of Edmund Palmer and William L. Buxton, both of the county of Burke, and for other purposes; also,

A bill to prescribe the manner of establishing lost papers in the Superior and Inferior Courts in this State; also,

A bill for the relief of John S. Murphy of Columbia; also,

A bill to repeal an act passed Dec. 20th, 1849, entitled an act to regulate the fees of Attorney and Solicitors General, and for other purposes therein specified, so far as the same may relate to the counties of Chattooga in the Cherokee Judicial Circuit, and the county of Floyd in the Tallapoosa Judicial Circuit, also to the counties of Dade and Gordon in this State, and for other purposes; also,

A bill amendatory of an act assented to on the 23d of Feb. 1850, to compel discoveries at common law, and to allow plaintiffs to prove their accounts by written affidavits; also,

A bill for the relief of Solomon Newsom of Lowndes county, and for other purposes; also,

A bill to regulate the retailing of spirituous liquors in the counties of Chattooga and Dade; also,

A bill to regulate the fees of Magistrates and Constables in the city of Augusta, and for other purposes ; also,

A bill to define the jurisdiction of Justices of the Peace in the city of Macon, and to amend the laws regulating fees of Constables and Justices of the Peace in the county of Bibb ; also,

A bill for the relief of John C. Reese of the county of Chattahoochee ; also,

A bill to declare a sale made by the representatives of the estate of Isaac Boring deceased, of a certain house and lot, in the town of Eatonton, known as the Broadfield lot, in the year 1852, illegal and void, and to allow James M. Broadfield, the present administrator on said estate, leave to sell and make good and sufficient titles to the same in such manner as he shall deem most advantageous to the interest of said estate ; also,

A bill to alter and amend an act to define and establish the fees of Ordinaries, Clerks of the Superior and Inferior Courts, Sheriffs, Jailors, Justices of the Peace, and Constables of this State, and for other purposes so far as relates to the fees of Sheriffs in the county of Gordon ; also,

A bill to repeal an Act assented to 19th February, 1856, entitled an act to compensate Grand and Petit Jurors of the counties of Catoosa and Polk, as far as relates to the county of Catoosa, and for other purposes therein named. Also,

A bill for the relief of Hiram L. Travis, of the county of Spaulding, from double tax. Also,

A bill to repeal an act passed Dec. 20th, 1849, entitled an Act to regulate the fees of Attorneys and Solicitors General, and for other purposes therein specified, so far as the same may relate to the county of Chattooga, in the Cherokee Judicial Circuit, and the county of Floyd, in the Tallapoosa Judicial Circuit, also to the counties of Dade and Gordon, in this State, and for other purposes. Also,

A bill to amend the attachment laws of the State of Georgia. Also,

A bill to repeal an act entitled an Act to authorize the Inferior Court of Early County to levy a Road Tax, and for other purposes. Also,

A bill to repeal an act entitled an act to abolish imprisonment for debt, on certain conditions herein set forth, and for other purposes, assented to December 11th, 1858, so far as the county of Bibb is concerned. Also,

A bill to change the name of the "Southern Central Agricultural Society," and to appropriate money for the same. Also,

A bill to incorporate the Coosa Bank, and for other purposes therein mentioned. Also,

A bill for the relief of William E. West, of the county of Polk. Also,

A bill to confer upon certain illegitimate persons therein named, the rights and privileges that would have belonged to them had they been born in lawful wedlock, upon certain conditions, and to make them heirs at law of certain persons, and for other purposes. Also,

A bill for the relief of Annie T. Carroll, wife of Robert Carroll, of Richmond county. Also,

A bill to provide for an Agricultural and Geological survey of the State, and for other purposes.

The following Message was received from the House of Representatives by Mr. Hillyer their Clerk :

Mr. President : The House of Representatives have passed the following bills of the Senate, to-wit :

A bill to define the boundary line between the counties of Chattahoochee and Muscogee, so far as to include the plantation of Gabriel Toombs, in the county of Muscogee, with amendments, in which they ask the Senate to concur ; also,

A bill to provide for the survey of lands claimed as exempt under the statute assented to 11th December, 1841, and for other purposes ; also,

A bill of the House, to be entitled an act to protect the estates of married women, to provide the manner of securing the same, and for other purposes therein mentioned ; also,

A bill of the Senate to alter and amend an act entitled an act to alter and amend the patrol laws of this State, approved February 20th, 1854, so far as relates to the county of Dougherty ; also,

A bill of the Senate to change and fix the times of holding the Superior Courts in the county of Muscogee, with amendments, in which they ask the Senate to concur ; also,

A bill of the Senate for the relief of certain citizens of the county of Gilmer for illegal voting ; also,

A bill of the Senate to authorize the Governor to furnish arms to organized Volunteer Companies not uniformed ; also,

A bill of the Senate to compensate Sheriffs of the counties of Banks, Milton and Whitfield, for making out and summoning Jurors, and to compensate the Sheriff and deputy Sheriff of Fulton county, with amendments, in which they ask the Senate to concur ; also,

A bill of the Senate to change the line between Henry and Butts counties, with an amendment, in which they ask the Senate to concur ; also,

A bill of the Senate to define the manner in which teach-

ers of poor children must proceed to procure their pay who have not returned, or who may hereafter fail to return their accounts to the Ordinary according to law; also,

A bill of the Senate to incorporate Wood Hydraulic Hose and Gold Mining Company; also,

A bill of the Senate to repeal an act entitled an act, to alter and amend the road laws of this State, so far as relates to the county of Montgomery, assented to 19th December, 1840; also,

A bill of the Senate to protect the owners of stock in the counties of Fannin and Dawson against killing any stock of the description therein named, under any claim or pretended claims, except as therein provided, and to provide penalties for the same, with amendments, in which they ask the Senate to concur.

Mr. Harris of Dougherty, from the Committee on enrollment, reported as duly enrolled and signed by the Speaker of the House of Representatives, and ready for the signature of the President of the Senate:

An act to appropriate money to compensate the widow and children of David Harrison, late of Cobb county.

The Senate took up as the report of the committee of the Whole, a bill of the House of Representatives to compensate the Grand and Petit Jurors of the counties of Brooks, Pierce, Mitchell, Clinch, Glynn, Laurens, Lowndes, and Milton.

Mr. Donaldson moved to amend the report by excluding the county of Pierce; which was agreed to.

The report as amended was agreed to. The bill was read the third time and passed.

The Senate took up as the report of the Committee of the Whole, a bill of the House of Representatives to alter and amend the road laws of this State so far as relates to the county of Camden.

The report was agreed to. The bill was read the third time and passed.

The Senate took up as the report of the Committee of the Whole, a bill of the House of Representatives to change the times of holding the Superior Courts of the county of Clay.

The report was agreed to. The bill was read the third time and passed.

The Senate took up, as the report of the Committee of the Whole, a bill of the House of Representatives to incorporate the Pioneer Hook and Ladder Company No. 1, in the town of Athens.

Mr. Cook moved to amend the report by adding an additional section incorporating the Atlanta Hook and Ladder Company No. 1; which was agreed to.

The report as amended was agreed to, the bill was read the third time, and passed.

The Senate took up as the report of the committee of the whole, the following bill of the House of Representatives :

To authorize and require the district Treasurer of the common school fund of Dawson county to pay over said fund to the Ordinary of said county, and for other purposes.

Mr. Green moved to amend the report by adding an additional section extending the provisions to the county of Harralson ; which was agreed to.

The report as amended was agreed to, the bill was read the third time and passed.

The Senate took up as the report of the committee of the Whole, a bill of the House of Representatives to consolidate the offices of Tax Collector and Receiver of Tax Returns of the county of Echols.

The report was agreed to. The bill was read the third time and passed.

The Senate took up as the report of the Committee of the Whole, a bill of the House of Representatives to change the line between the counties of Jackson and Clark.

The report was agreed to, the bill was read the third time, and passed.

This Senate took up as the report of the Committee of the Whole, a bill of the House of Representatives to amend an act passed on the 18th, December, 1859, to protect the possession of lands in the county of Charlton.

The report was agreed to. The bill was read the third time and passed.

The Senate took up as the report of the Committee of the Whole, a bill of the House of Representatives to incorporate the Rome Light Guards and the Oconee Cavalry.

Mr. Wynne moved to amend the report by adding an additional section incorporating amendatory of the act incorporating the Newnan Guards ; which was agreed to.

Mr. Printup moved further to amend the report by adding an additional section extending the provisions of this act to all the volunteer companies now or hereafter to be organized.

The report as amended was agreed to, the bill was read the third time, and passed.

The Senate took up as the report of the Committee of the Whole, a bill of the House of Representatives to incorporate Liberty Hill Baptist Church, in the county of Henry, and for other purposes.

Mr. McLeod moved to amend the report by incorporating the Methodist Church, in the county of Emanuel.

The report as amended was agreed to, the bill was read the third time and passed.

The Senate took up as the report of the Committee of the Whole, a bill of the House of Representatives to change the line between the counties of Dawson and Lumpkin, and for other purposes.

Mr. Johnson of Clayton moved to amend the report by adding an additional section, changing the line between the counties of Clayton and Fulton; which was agreed to.

The report as amended, was agreed to, the bill was read the third time and passed.

The Senate took up as the report of the Committee of the Whole, a bill of the House of Representatives to amend the first section of an act passed in 1859, amending the charter of the town of Washington.

The report was agreed to. The bill was read the third time and passed.

The Senate took up as the report of the Committee of the Whole, a bill of the House of Representatives to incorporate Prospect Camp Ground, in the county of Floyd.

The report was agreed to, the bill was read the third time and passed.

The Senate took up as the report of the Committee of the Whole a bill of the House of Representatives to consolidate the offices of Clerks of the Superior and Inferior Courts of Dawson, Stewart and DeKalb counties.

The report was agreed to, the bill was read the third time, and passed.

The Senate took up as the report of the committee of the Whole, a bill of the House of Representatives to incorporate the Atlanta Scout, at Jones creek, in the county of Liberty; the Brunswick Rifles, of the county of Glynn, and confer certain privileges on the same.

The report was agreed to. The bill was read the third time and passed.

The Senate took up as the report of the committee of the Whole, a bill of the House of Representatives to incorporate Blackshear Academy, in Pierce county.

The report was agreed to. The bill was read the third time and passed.

The Senate took up as the report of the committee of the Whole, a bill of the House of Representatives to incorporate the town of Colquitt, in the county of Miller, and for other purposes.

The report was agreed to, the bill was read the third time and passed.

The Senate took up as the report of the committee of the Whole, a bill of the House of Representatives for the relief of John R. Dyer, of Jasper county.

The report was agreed to. The bill was read the third time and passed.

The Senate took up as the report of the committee of

the Whole, a bill of the House of Representatives to change the time of holding the Superior Courts in the counties of Glynn, Wayne, Camden and Charlton. in the Brunswick Judicial Circuit.

Mr. Printup moved to amend the report by adding an additional section changing the time of holding the Superior Courts of Floyd county ; which was agreed to.

The report as amended was agreed to. The bill was read the third time and passed.

The Senate took up as the report of the committee of the Whole, a bill to repeal any and all laws making it penal to carry concealed weapons.

The committee on the Judiciary, to whom said bill was referred reported against its passage.

The report was agreed to and the bill was lost.

The following Message was received from the House of Representatives, by Mr. Hillyer, their Clerk :

Mr. President : The House of Representatives have passed the following bills of the Senate, to-wit :

A bill to change the line between the counties of Jackson and Madison ; to change the line between the counties of Macon and Taylor ; to change the line between the counties of Towns and Union, and to legalize the sale of a lot of land made by the Sheriff of the county of Towns. also,

A bill to incorporate all volunteer companies of Infantry, Cavalry or Artillery, which have been, or may hereafter be organized and commissioned, and to extend certain privileges to the same, and for other purposes ; also,

A bill to amend and add to the Fourth Division of the Penal Code, and for other purposes therein mentioned ; also,

A bill to incorporate the Oglethorpe Academy, in the town of Oglethorpe, Macon county, and to appoint Trustees for the same ; also,

A bill to amend the several acts passed in relation to the Lagrange Female College, to ratify the sale of the same, and for other purposes ; also,

A bill amendatory of an act to amend the patrol laws of this State, approved February 20th, 1854, so far as relates to the county of Effingham ; also,

A bill to prevent the obstruction of the waters of Notley river in the county of Union ; also,

A bill to authorize the Dalton and Jacksonville Rail Road company, to extend their Road to the North Carolina line, and to be united and consolidated with other Railroad Companies in Georgia, North Carolina and Alabama, and to au-

thorize said company, and the Georgia and Alabama Railroad company to consolidate ; also,

A bill to change the mode of ascertaining the number of children in the county of Lumpkin, who are entitled to the benefit of the common school fund for said county ; also,

A bill to authorise Justices of the Peace in Mitchell county, to appoint Patrol Commissioners for said county ; also,

A bill to authorise the Ordinary of Chattooga county to pay John A. Rose and John Hammions their accounts against the poor school fund of said county, and to authorize the Ordinary of Monroe county to pay L. W. Jarrell, for teaching poor children in said county ; also,

A bill to amend an act assented to December 11th, 1859, incorporating the town of Carnesville, in the county of Franklin ; also,

To amend the act heretofore passed incorporating the town of Carrollton, in the county of Carroll ; also,

To amend the act incorporating the town of Ringgold, in the county of Catoosa ; also,

A bill to change the line between the counties of Newton and Jasper, and also the line between Polk and Cass, with an amendment, in which they ask the Senate to concur ; also,

A bill to provide by law a permanent plan for using the school fund in the county of Whitfield, and for other purposes ; also,

A bill to incorporate the Mount Vernon Church, and the Mount Vernon Academy, in Murray county, and to incorporate the Friendship Baptist Church, in the county of Walton, and for other purposes ; also,

A bill to amend the charter of the Georgia Western R. R. company passed in the year 1854, and to authorize the Governor to grant to said Georgia and Western Railroad company, and the Polk State Quarry Railroad company, the right to build and construct their Railroad on the right of way of the Western and Atlantic Railroad, and for other purposes ; also,

A bill to legalize the marriage of J. M. Painter and Cynthia Robison, both of the county of Gilmer ; also,

A bill to submit the matters in controversy between the Western and Atlantic Railroad and Elsy B. Reynolds to the arbitrament and award of George D. Phillips and John W. Lewis, Superintendent of the Western and Atlantic Railroad, and for other purposes ; also,

A bill to add an additional section to an act entitled an act to regulate the measuring of all timber prepared for

the seaports of Georgia, and for the appointing of measurers and Inspectors of the same, approved February 4th, 1854 ; also,

A bill to add an additional section to the 13th Division of the Penal Code, making it penal to sell to, or furnish slaves or free persons of color, with weapons of offence or defence, and for other purposes therein mentioned ; also,

A bill to give all persons employed on all steamboats, and other water crafts on the Chattahoochee, Altamaha and Ocmulgee rivers, a lien on said steamboats, or water crafts, for his, her or their wages, and for wood and provisions furnished, and to point out, &c., the mode of collection of the same, assented to December 11th, 1841, and for other purposes.

The Senate took up as the report of the committee of the whole, a bill of the House of Representatives, to repeal an act to allow Andrew J. Wooten, of the county of Talfair, to peddle and vend goods in certain counties.

On motion the same was indefinitely postponed.

The following message was received from the House of Representatives, by Mr. Hillyer, their Clerk :

Mr. President : The House of Representatives have concurred in the Senate amendment to the bill of the House, to be entitled an act to authorise and require the District Treasurers of the common school fund of Dawson county, to pay over the said fund to the Ordinary of said county.

On motion, the Senate adjourned until 9½ o'clock, tomorrow morning.

TUESDAY, DECEMBER 18TH, 1860.

9½ O'CLOCK, A. M.

The Senate met according to adjournment, and was opened with prayer by the Rev. Mr. Flynn.

Mr. Harris of Worth moved to reconsider so much of the Journal of yesterday as relates to the action of the Senate on a bill of the House of Representatives to appropriate money for the support of the Government for 1861, and to make certain special appropriations ; which was agreed to.

The Senate took up as the report of the committee of the whole, a bill of the House of Representatives to appropriate money for the support of the Government for the year 1861, and to make certain special appropriations.

Mr. Briscoe moved to amend the report by striking out in the fourth section the words "ten" and inserting "twelve" with explanatory words; which was agreed to.

Mr. Briscoe moved further to amend the report by appropriating two thousand five hundred dollars to enable the Superintendents of the Asylum to procure a more abundant supply of water.

Upon agreeing to which motion the yeas and nays were recorded, and were yeas 41, nays 38.

Those who voted in the affirmative were Messrs:

Barrow, Bartlett, Billups, Boggs, Briscoe, Burnett, Byars, Carter of Echols, Cloud, Cooper, Cone, Davis, Delaperriere, Ferrill, Flewellen, Fulton, Griffin of Twiggs, Harris of Worth, Hightower, Hill of Troup, Hill of Wilkes, Holt, Ivey, Johnson of Clayton, Johnson of Cass, Lawton, Lenoir, McDuffie, McLeod, Oliver, Paine, Printup, Reid of Morgan, Robinson, Sawyer, Smith of Talbot, Spalding, Sturges, Turner, Tracy, Trippe, Wallace, Ward, Wellborn.

Those who voted in the negative were Messrs:

Alexander, Allred, Batts, Bond, Brown, Carter of Elbert, Cowen, Denham, Donaldson, Glover, Green, Hart, Harris of Dougherty, Hood, Hyde, Jamison, Jones, Lamar, Lockhart, Maples, Merrill, Reid of Taliafearo, Ritch, Rushin, Shellnut, Sheppard, Snell, Summerour, Tarver, Usry, Walker, White, Whitehurst, Whitworth, Williams of Rabun, Williams of Terrell, Wilson, Wynne.

So the motion to amend prevailed.

Mr. Cone moved further to amend the report by striking out the amendment of the Senate relative to appropriating a sum for cleaning the Chandaliers, &c.; which was lost.

Mr. Ward moved further to amend the report by striking out the amendments of the Senate relative to the paying of the joint Committee appointed under Resolution of the General Assembly, assented to Dec. 16th, 1859.

Upon agreeing to which motion the yeas and nays were recorded, and were yeas 38, nays 41

Those who voted in the affirmative were Messrs:

Alexander, Barrow, Billups, Briscoe, Burnett, Byars, Carter of Elbert, Cooper, Cook, Cone, Delaperriere, Ferrill, Flewellen, Fulton, Harris of Worth, Hightower, Hill of Troup, Johnson of Clayton, Johnson of Cass, Jones, Lawton, McDuffie, McGehee, Moore of Laurens, Reid of

Morgan, Ritch, Robinson, Smith of Hancock, Spalding, Turner, Tracy, Trippe, Wallace, Ward, Ware, Williams of Terrell, Wilson,.

Those who voted in the negative were Messrs :

Allred, Bartlett, Batts, Boggs, Bond, Brown, Carter of Echols, Cloud, Cowen, Denham, Donaldson, Glover, Green, Griffin of Twiggs, Hart, Harris of Dougherty, Hill of Wilkes, Hood, Hyde, Ivey, Jamison, Lamar, Lenoir, Maples, Merrill, Oliver, Reid of Taliaferro, Riley, Sawyer, Shelton, Shellnut, Smith of Talbot, Snell, Summerour, Tarver, Usry, Walker, White, Whitehurst, Whitworth, Williams of Rabun.

So the motion to strike out did not prevail.

Mr. Tracy moved further to amend the report by striking out the amendment relative to the Committee to the Deaf and Dumb Asylum, and by striking out in the original section the word "thirty" and inserting "forty;" which was agreed to.

Mr. Moore of Laurens moved further to amend the report by adding an additional section appropriating the sum of three thousand dollars, for the purpose of cleaning out the Oconee River.

Upon agreeing to which motion the yeas and nays were recorded, and were yeas 34, nays 46.

Those who voted in the affirmative were Messrs:

Billups, Briscoe, Brown, Byars, Cone, Donaldson, Fulton Gaston, Harris of Dougherty, Harris of Worth, Holt, Johnson of Clayton, Johnson of Cass, Jordan, Lawton, McDuffie, McLeod, Moore of Laurens, Paine, Printup, Quillian, Ritch, Robinson, Shelton, Snell, Spalding, Summerour, Tarver, Tracy, Usry, Whitehurst, Whitworth, Wilson.

Those who voted in the negative were Messrs:

Alexander, Allred, Barrow, Batts, Boggs, Bond, Burnett, Carter of Elbert, Cloud, Cooper, Cowen, Davis, Denham, Ferrill, Flewellen, Glover, Green, Griffin of Twiggs, Hart, Hightower, Hill of Troup, Hill of Wilkes, Hood, Hyde, Jamison, Jones, Lenoir, Lochhart, Maples, Merrill, McGehee, Oliver, Reid of Taliaferro, Riley, Rushin, Sawyer, Shellnut, Sheppard, Smith of Hancock, Smith of Talbot, Sturges, Turner, Walker, Wallace, Ward, White, Williams of Rabun, Williams of Terrell, Wynne.

So the motion to amend did not prevail.

Mr. Brown moved further to amend the report by striking out the amendment relative to appropriating two hun-

dred dollars to the Tax Collector of Dooley county; which was agreed to.

The report as amended was agreed to. The bill was read the third time and passed.

Mr. Holt offered the following Resolution, which was taken up and agreed to:

Resolved by the General Assembly, That it receives with the most profound solemnity and grief, the announcement of the death of the Hon. Charles J. McDonald, Ex-Governor of Georgia, and that a Committee of three be appointed to unite with such Committee as may be appointed on the part of the House of Representatives, to report suitable action of the General Assembly thereon.

In pursuance of which the President appointed Messrs. Holt, Lawton, and Cone, as the Committee, on the part of the Senate.

Mr. Harris of Dougherty, from the Committee on Enrollment, reported as duly enrolled, and ready for the signature of the President of the Senate:

An act to authorize the Court of Ordinary of the county of Calhoun, to pay certain monies; also, to amend an act to carry into effect the amended Constitution of this State, in reference to the Ordinaries of said State, assented to January 21st, 1852. Also,

An Act to authorize Constables in any Militia District in this State to serve writs, and other process of law, outside of their respective districts, in certain cases. Also,

An act to authorize the Ordinaries of Walton and Newton counties, to pay certain teachers for teaching poor children. Also,

An act to repeal an act entitled an act to alter and amend the road laws of this State, so far as relates to the county of Montgomery, assented to 19th December, 1840. Also,

An act to incorporate the Annacabolah Camp Ground of M. E. Church, in Dawson county, and for other purposes therein specified. Also,

An act to incorporate the Savannah, Western, & Central Wharf Company. Also,

An act to compel guardians or employers of free negroes in the counties of Walker, Thomas, Henry, and Upson, to have said free negroes reside on the premises of said guardians or employers, and for other purposes. Also,

An act to provide for the survey of lands claimed as exempt under the statute, assented to December 11th, 1841, and for other purposes. Also,

An act to alter and amend an act to alter and amend the Patrol Laws of this State, approved February 20, 1854, so far as relates to the county of Dougherty. Also,

An act for the relief of certain citizens of the county of Gilmer, for illegal voting. Also,

An act to authorize the Governor to furnish arms to organized Volunteer Companies, not uniformed. Also,

An act to amend an act approved 27th February, 1856, to incorporate Ocmulgee Mills, in Butts county, and to increase the capital stock of the same. Also,

An act to amend the several Acts of the General Assembly relating to the South Western Rail Road Company, and to authorize said Company to construct a Branch Rail Road, and for other purposes. Also,

An Act to change the line between the counties of Haralson and Carroll, and for other purposes.

Mr. Harris of Dougherty, from the Committee on Enrollment, reported as duly enrolled and ready for the signature of the President of the Senate:

An act to discharge William Rogers, of the county of Milton, from the trusteeship of the property of Mrs. Ann C. Lenoir, and her children, and to vest said trusteeship in John W. Lenoir, the husband of Ann C. Lenoir, and the father of said children. Also,

An act for the relief of William J. Ammons, Sarah Ammons alias Sarah Wheeler, and for other purposes therein mentioned. Also,

An act to compensate Justices of the Peace in the counties of Decatur, Greene, and Gilmer, for making out and returning lists of poor children to the Ordinaries of said counties. Also,

An act to amend an act to provide for the education of the children of this State between certain ages, and to provide an annual sinking fund for the extinguishment of the public debt, assented to Dec. 11th, 1858, so far as the same relates to the county of Hall. Also,

An act to alter and amend an act to require all fines collected for the neglect of road duty in the county of Decatur, to be applied to the improvement of the roads within the districts where said default or neglect of duty occurred, assented to Dec. 30th, 1836. Also,

An act to amend an act to alter and amend the 14th section of an act entitled an act to protect the estate of orphans, and to make permanent provisions for the poor, approved Nov. 24th, 1818, so far as relates to the county of Franklin. Also,

An act to define the manner in which teachers of poor children must proceed to procure their pay who have not returned, or who may hereafter fail to return their accounts to the Ordinary according to law. Also,

An act for the benefit of the McDuffie Rifles, a Volunteer Company in Warren county; to incorporate Wire

Grass Minute men, a Volunteer Corps of Light Infantry, now existing in Waresboro, Ware county, and to grant certain privileges to the Jackson Guards, a Volunteer Company now organized in Atlanta, Fulton county. Also,

An act to legalize the marriage of J. M. Painter, and Cynthia Robison, both of the county of Gilmer. Also,

An act to legalize the levy of an extra tax by the Inferior Court of Lee county, for the purpose of paying for a turnpike across Muckalee creek. Also,

An act for the relief of James H. Erwin. Also,

An act to amend an act to incorporate the Orphan's Home, of the Protestant Episcopal Church, in Chatham county, passed December 10th, 1859. Also,

An act to incorporate the Methodist Episcopal Church and Camp Ground, at Bethlehem, in the county of Walton, in this State, and to appoint trustees for the same. Also,

An act for the relief of Origin A. V. Rose and Mary M. Wallace, formerly Mary M. Mitchell, of Pulaski county. Also,

An act to consolidate the offices of Clerk of the Superior Court, Clerk of the Inferior Court, and Ordinary, in the county of Crawford, and to legalize the actings and doings of James J. Ray, as Ordinary for said county. Also,

An act to authorize Executors, Executrix, or Trustees, to invest the money of married women and children, in land and negroes or either, on the terms therein expressed. Also,

An act to incorporate the Poplar Spring Methodist Episcopal Church, in the county of Franklin, and to amend and change the several acts incorporating the town of Thomasville, in the county of Thomas.

The following message was received from the House of Representatives, by Mr. Hillyer, their Clerk:

Mr. President—The House of Representatives have passed the following bill of the Senate, to-wit:

A bill to incorporate the Belgian American company for the development of direct trade with the Southern States of the United States, and to grant the right of domicile to said company, and for other purposes therein specified.

Mr. Harris, of Dougherty from the committee on enrollment reports as duly enrolled, and signed by the Speaker of the House of Representatives, and ready for the signature of the President of the Senate

An act to change the time of holding the Superior Courts in the counties of Glynn, Wayne, Camden and Charlton, in

the Brunswick district, and to change the times of holding the Superior Courts of the county of Floyd; also,

An Act to incorporate the Altamaha Scout, at Jones' Creek, in the county of Liberty.—the Brunswick Rifles, in the county of Glynn, and confer certain privileges and exemptions on the same; also,

An Act for the relief of John R. Dyer, executor of Anthony Dyer, of Jasper county, deceased; also,

An Act to incorporate Blackshear Academy, in Pierce county, and appoint trustees for the same, and for other purposes.

Mr. Cone offered the following resolution, which was taken up, read and agreed to.

Resolved, That Mr. Briscoe be added to the auditing committee.

The Senate took up, as the report of the Committee of the Whole, a bill of the House of Representatives to appropriate money to the Cotton Planters' Convention, and for other purposes.

Mr. Smith, of Hancock, moved to amend the report by adding an additional section, appropriating twenty-five hundred dollars to the Georgia State Agricultural Society; which was agreed to.

The report as amended was agreed to; the bill was read the third time and passed.

The Senate took up as the report of the Committee of the Whole, a bill of the House of Representatives to appropriate money to compensate Josiah J. Anderson for damages sustained, as therein set forth, and for other purposes.

Mr. Holt moved to amend the report by inserting the following, in the 2d section, at the proper place:

"That the same be paid by the Treasurer of the Western & Atlantic Rail Road, out of the profits of said Road."

Which was agreed to.

The report as amended was agreed to, the bill was read the third time and passed.

The following message was received from His Excellency the Governor, by Mr. Waters, his Secretary, to-wit:

Mr. President—The Governor has approved and signed the following acts, to-wit:

An Act to authorize the Justices of the Inferior Court of Lumpkin county, or a majority of them, to levy an additional extra tax for the purpose of repairing the court-house of said county, and to authorize the Inferior Court of Bibb county to levy and collect a special tax for the support of the poor of said county, and for other purposes.

An Act to authorize and prescribe the mode of controverting the answers to *certioraris*, and to try issues made thereupon, and for other purposes.

An Act to incorporate Dallas Male and Female Academy, and to appoint trustees therefor.

An Act to incorporate the Young's Female College, in the county of Thomas, at or near Thomasville, for the education of young ladies.

An Act to suppress the use of intoxicating liquors at elections, in the county of Murray.

An Act to change the county-lines between the counties of Sumter and Macon, so as to attach the residence of George Walker, of Sumter, to the county of Macon.

An Act to authorize the Justices of the Inferior Court of Chatham county to levy and collect an extraordinary tax for the building of a new county jail for said county, and for other purposes.

An Act to change and alter the county lines between the counties of Macon and Dooly.

An Act to change the line between the counties of Wayne and Glynn.

An Act to prevent the peddling of spirituous liquors, in the county of Worth, and other counties therein mentioned, and for other purposes.

An Act to add another section to the Penal Code, so far as relates to the county of Pickens.

An Act to authorize the Inferior Court of Taylor county to levy an extra tax for the purpose of re-building the jail of said county.

An Act to repeal an Act, approved December 29th, 1847, entitled An Act to authorize the Justices of the Inferior Courts of the several counties in this State to create and lay out any new districts, or to change and alter the lines of those already laid out—assented to 23d December, 1859—so far as relates to the counties of Habersham and Rabun.

An Act to authorize the Justices of the Inferior Court of Baker county to pay to the Tax Receiver of said county a per centage for the county tax.

An Act to authorize guardians of free persons of color to make settlements with the Court of Ordinary, and for other purposes.

An Act to amend the patrol laws of this State, so far as relates to the county of Bryan.

An Act to punish persons for obstructing the navigation of Penalton creek, in the county of Tattnall, and for other purposes.

An Act to authorize the commissioners of the town of Waresboro to open the streets, and for other purposes.

An Act to repeal the first section of an Act entitled An Act to change the name of William Capers Day, of Greene county, to that of William Capers Rhodes, and to legitimate the same, and for other purposes.

An Act to authorize the owner or owners of slaves charged with offences against the laws of this State to give bail for such slave or slaves.

An Act to amend the thirty-first section of the attachment law of this State, approved 4th March, 1856.

An Act to authorize Ordinaries of this State to dispose of insolvent estates, when the same shall not exceed the sum of one hundred dollars.

An Act to give Clerks of Superior Courts time to make out copies of bills in equity, and time to sheriffs to serve the same.

An Act to require Judges of the Superior Courts of this State to give their charges to jurors in writing, in the cases therein mentioned.

An Act to repeal an Act entitled An Act to amend the charter of the town of Monticello, in Jasper county, and for other purposes; also to incorporate the town of Summerville, in the county of Chattooga; also,

A resolution requiring the Governor to purchase two hundred and fifty Maynard rifles, and seven hundred and fifty Maynard carbines, for the defense of the coast of Georgia.

Mr. Harris of Dougherty, from the committee on enrollment, reports as duly enrolled and signed by the Speaker of the House of Representatives, and ready for the signature of the President of the Senate,

An Act to incorporate Prospect Camp Ground, in the county of Floyd, and for other purposes; also,

An Act to consolidate the offices of Tax Collector and Receiver of Tax Returns of the county of Echols; also,

An Act to alter and amend the road laws of this State so far as relates to the county of Camden; also,

An Act to change the line between the counties of Lumpkin and Dawson, and between Fulton and Clayton; also,

An Act to amend the first section of an Act, passed 1859, amending the charter of the town of Washington; also,

An Act to consolidate the offices of Clerks of the Superior and Inferior Courts of Dawson, Stewart and DeKalb counties; also

An Act to change the time of holding the Superior and Inferior Courts of the county of Clay, and for other purposes; also,

An Act to amend an Act, passed Dec 19th, 1859, to protect the possession of lands of actual residents of the county of Charlton, and for other purposes; also,

An Act to authorize and require the District Treasurers of the Common School Fund, for the counties of Dawson and Haralson, to pay the money in their hands to the Ordinaries of said counties, and for other purposes herein mentioned; also,

An Act to add No. 354 to the county of Lowndes, now Echols county, and to change so far the county lines; also to change the lines between the counties of Pickens and Gordon; also,

An Act to change the lines between the counties of Jackson and Clark, so as to include the plantation of George W. Hudson in the county of Clark; also,

An Act to incorporate the Rome Light Guards in the city of Rome, the Oconee Cavalry in the town of Athens, to amend an Act incorporating the Newnan Guards, to extend the provisions of this Act to all volunteer companies in this State, and for other purposes; also,

An Act for the protection of the citizens of Camden, Bryan, McIntosh and Glynn counties; also,

An Act to incorporate the Pioneer Hook & Ladder Company, No. 1 in the town of Athens, and to incorporate the Atlanta Hook & Ladder Company, No. 1, in the city of Atlanta, and for other purposes; also,

An Act to compensate the Grand and Petit Jurors of the counties of Brooks, Mitchell, Clinch, Glynn, Laurens, Lowndes and Milton, and to authorize the levying of a tax for the same.

The Senate took up, as the report of the Committee of the whole, a bill of the House of Representatives, for the relief of the Etowah Manufacturing and mining company, and for other purposes.

Mr. Wynne moved to amend the report by adding additional sections for the relief of the Savannah, Griffin and North Alabama Railroad company.

Mr. Griffin of Twiggs moved to indefinitely postpone the bill and amendments.

Upon agreeing to which motion, the yeas and nays were recorded, and were yeas 38, nays 16.

Those who voted in the affirmative, were Messrs.

Barrow, Bartlett, Batts, Boggs, Bond, Burnett, Carter of Echols, Cloud, Cook, Cone, Denham, Flewellen, Gaston, Glover, Griffin of Twiggs, Hart, Harris of Dougherty, Hill of Wilkes, Jones, Maples, Oliver, Reid of Morgan, Reid of

Taliaferro, Ritch, Robinson, Rushin, Sawyer, Sheppard, Smith of Talbot, Spalding, Sturges, Tarver, Turner, Usry, Walker, Wellborn, Whitehurst, Williams of Terrell.

Those who voted in the negative are Messrs.

Allred, Billups, Brown, Byars, Cooper Cowen, Davis, Delaperriere, Ferrill, Green, Harris of Worth, Hill of Troup, Holt, Hood, Hyde, Ivey, Jamison, Johnson of Clayton, Johnson of Cass, Jordan, King, Lamar, Lawton, Lenoir, Lockhart, Merrill, McDuffie, McGehee, McLeod, Printup, Quillian, Riley, Shelton, Shellnut, Smith of Hancock, Snell, Summerour, Tracy, Trippe, Ward, Ware, White, Whitworth, Williams of Rabun, Wilson, Wynne.

Yeas 38, nays 46. So the motion to postpone indefinitely did not prevail.

The question recurring upon agreeing to the amendment, the yeas and nays were recorded, and were yeas 14, nays 64.

Those who voted in the affirmative, were Messrs.

Bartlett, Batts, Beggs, Delaperriere, Ferrill, Glover, Green, Harris of Dougherty, Jones, Merrill, Snell, Spalding, Sturges, Wynne.

Those who voted in the negative are Messrs.

Allred, Barrow, Bond, Brown, Burnett, Byars, Carter of Elbert, Cloud, Cooper, Cook, Cone, Cowen, Davis, Denham, Flewellen, Fulton, Gaston, Griffin of Twiggs, Hart, Harris of Worth, Hill of Troup, Hill of Wilkes, Holt, Hood, Hyde, Ivey, Jamison, Johnson of Clayton, Johnson of Cass, Jordan, Lawton, Lenoir, Lockhart, Maples, McDuffie, McGehee, McLeod, Oliver, Printup, Quillian, Reid of Taliaferro, Riley, Robinson, Rushin, Shelton, Shellnut, Sheppard, Smith of Hancock, Smith of Talbot, Summerour, Tarver, Turner, Tracy, Trippe, Usry, Wallace, Ward, Ware, White, Whitehurst, Whitworth, Williams of Rabun, Williams of Terrell, Wilson.

Yeas 14, nays 64. So the motion to amend did not prevail.

Mr. Spalding moved further to amend the report by the following :

Be it further enacted, that the provisions of this act be extended to each and every citizen of Georgia, who can secure the State by mortgage of real and personal estate equal in amount to the sum loaned in State bonds.

Pending which the hour of adjournment having arrived, the President adjourned the Senate until 3 o'clock, P. M.

THREE O'CLOCK, P. M.

The Senate met according to adjournment.

The following message was received from the House of Representatives by Mr. Hillyer their Clerk :

Mr. President : The House of Representatives have agreed to the Senate's amendments to a bill to provide for raising a revenue for the political year 1861, and to appropriate money for the support of Government during said year, and to make certain special appropriations, and for other purposes therein named, with the exception of the following amendments, to-wit : The amendment to the 8th section striking out " fifty " and inserting " twenty-five ; " and to the 14th, by striking out " three hundred " and inserting " one hundred and fifty," and to the same section, the amendment giving to the Commissioners to examine the Code, mileage for the distance they have traveled ; and to the amendment forming the 28th section to the bill, from all which they ask the Senate to recede.

They have also, amended the amendment of the Senate fixing the salary of the Journalizing Clerk of the Senate, in which they ask the concurrence of the Senate.

The House of Representatives have concurred in the resolution of the Senate, in relation to the death of the Hon. Charles J. McDonald, Ex-Governor of Georgia, and proposing that a committee of three be appointed to unite with such committee as may be appointed on the part of the House of Representatives to report suitable action of the General Assembly thereon, and have appointed as the committee on the part of the House, Messrs. Lester, Hartridge, Famin, Solomons, and Barnes.

The House of Representatives have concurred in the amendments of the Senate, to the following bills, of the House of Representatives, to-wit :

A bill to change the time of holding the Superior Courts in the counties of Glynn, Wayne, Camden and Charlton in the Brunswick Judicial Circuit

The Senate took up the following bill of the House of Representatives which had been amended in the Senate to-wit :

A bill to appropriate money for the support of Govern-

ment for the year 1861, and to make certain special appropriations.

On motion the Senate recessed from its amendments except its amendment to the 25th section, on which the Senate insisted.

On motion the Senate concurred in the amendment of the House of Representatives to the amendment of the Senate, fixing the salary of Journalizing Clerk of the Senate as his entire pay during the present session.

The Senate resumed the consideration of the unfinished business of the morning, which was a bill of the House of Representatives, for the relief of the Etowah Manufacturing and Mining Company, and amendments pending thereto.

Mr. Spalding moved to indefinitely postpone the bill and its amendments.

Upon agreeing to which motion the yeas and nays were recorded, and were yeas 52, nays 22.

Those who voted in the affirmative are Messrs.

Barrow, Bartlett, Batts, Boggs, Bond, Burnett, Cloud, Cook, Cone, Denham, Ferrill, Flewellen, Gaston, Glover, Griffin of Twiggs, Hart, Harris of Dougherty, Harris of Worth, Hill of Wilkes, Holt, Hood, Hyde, Johnson of Clayton, Jones, Lawton, Lenoir, Maples, Merrill, Oliver, Reid of Morgan, Reid of Taliaferro, Ritch, Robinson, Rushin, Sawyer, Shelton, Sheppard, Smith of Hancock, Smith of Talbot, Spell, Spalding, Sturges, Turner, Usry, Walker, Ward, Wellborn, Wells, White, Whitehurst, Williams of Terrell, Wynne.

Those who voted in the negative, are Messrs.

Allred, Barclay, Byars, Cooper, Green, Hill of Troup, Johnson of Cass, King, Lockhart, McDuffie, McGehee, McLeod, Printup, Quillian, Riley, Shellnut Summerour, Trippe, Wallace, Ware, Whitworth, Williams of Rabun.

Yeas 52, nays 22. So the motion to postpone indefinitely prevailed.

Mr. Harris, of Dougherty, from the Committee on Enrollment, reported, as duly enrolled and ready for the signature of the President of the Senate:

An act to add an additional section to the 13th Division of the Penal Code, making it penal to sell to, or furnish slaves or free persons of color, with weapons of offence or defence, and for other purposes therein mentioned; also,

An act to amend and add to the 4th Division of the Penal Code, and for other purposes therein mentioned ; also,

An act to add an additional section to an act entitled an act to regulate the measuring of all timbers prepared for the sea ports of Georgia, and for the appointing of measurers and Inspectors of the same, approved February 4th, 1854 ; also,

An act to incorporate the Oglethorpe Academy in the town of Oglethorpe, Macon county, and to appoint Trustees for the same ; also,

An act to change the line between the counties of Jackson and Madison, to change the line between the counties of Macon and Taylor to change the line between the counties of Towns and Union, and to legalize a sale of a lot of land made by the Sheriff of the county of Towns ; also,

An act to compel the Road Commissioners in the several Militia Districts in this State, when there are no Justices of the Peace to make returns of persons liable to pay Taxes in this State ; also,

An act to submit the matter in controversy between the Western and Atlantic Railroad and Elsey B. Reynolds, to the arbitrament and award of George D. Philips and John W. Lewis, Superintendent of the Western and Atlantic Railroad, and for other purposes ; also,

An act to amend the several acts passed in relation to the LaGrange Female College to ratify the sale of the same, and for other purposes therein named ; also,

An act to facilitate the construction of the Macon and Brunswick Railroad ; also,

An act to authorizing the Dalton and Jacksonville Railroad Company to extend their road to the North Carolina line, and to unite and be consolidated with other Railroad companies in Georgia, North Carolina and Alabama, and to authorize said company and the Georgia and Alabama Railroad company to consolidate ; also,

An act to authorize Justices of the Peace in Mitchell county to appoint Patrol Commissioners for said county ; also,

An act to change the mode of ascertaining the number of children in the county of Lumpkin, who are entitled to the benefit of the Common School Fund. for said county ; also,

An act to incorporate the Mount Vernon Church, and the Mount Vernon Academy, in Murray county, and to incorporate the Friendship Baptist Church, in the county of Walton and for other purposes therein named ; also,

An act amendatory of an act to amend the Patrol Laws of this State, approved February 20th, 1854, so far as relates to the county of Ellingham ; also,

An act to incorporate all Volunteer Companies of Infantry, Cavalry or Artillery, which have been, or may here-

after be organized and commissioned, and to extend certain privileges to the same and for other purposes ; also,

An act to repeal an act, requiring the Clerks of the Courts of Ordinary of the several counties of this State to advertise all applications for letters of Administration at the Court House door of said counties, thirty days before granting such letters ; also,

An act to prevent the obstruction the waters, of Notley river, in the county of Union.

The following message was received from the House of Representatives, by Mr. Hillyer, their Clerk :

Mr. President : The House of Representatives have concurred in the Senate's amendment to the General Appropriation Bill fixing the compensation of the Journalizing Clerk of the Senate, as amended.

The House have receded from their disagreement to the Senate amendment composing the 25th section of said bill, fixing the compensation of Dow Wright for certain services.

Mr. Harris, of Dougherty, from the Committee on Enrollment, reports as duly enrolled, and ready for the signature of the President of the Senate,

An Act to incorporate the Belgian American Company, for the development of Direct Trade with the Southern States of the United States, and to grant the right of Domicil to said Company, and for other purposes therein specified.

The following message was received from the House of Representatives, by Mr. Hillyer, their Clerk :

*Mr. President :—*The House of Representatives have passed the following bills of the Senate, to-wit :

A bill to legalize the acts and doings of A. P. Dearing, as administrator of his father William Dearing, deceased ; also,

A bill to authorize the Inferior Courts of the counties of Henry and Crawford, to levy an extra tax for the support of the indigent poor of said counties, with amendments in which they ask the concurrence of the Senate ; also,

A bill to confer certain powers and privileges on the Tax Collector and tax payers of Stewart County ; also,

A bill to amend an act entitled an act to alter and amend the Road Laws of this State, so far as the same relates to the county of Wayne, assented to Dec. the 22nd., 1857 ; also,

A bill to consolidate the offices of Clerk of the Superior and Inferior Courts of Clayton county ; also,

A bill to amend an act entitled an act to authorize the city council of Rome to subscribe one hundred thousand dollars of stock in the Georgia & Alabama R. R. Company upon certain conditions, and for other purposes, passed Dec. 22d, 1857 ; also,

A bill to organize a Volunteer Battalion, in the city of Macon, to be called the Independent Volunteer Battalion of Macon ; also,

A bill to change the line between Emanuel and Johnson counties, so as to add the residence of Allen Meeks and Win. Flanders to the county of Emanuel ; also,

A bill to regulate and prescribe the fees of Juries in civil cases, so far as relates to the county of Catoosa, and for other purposes, with an amendment, in which they ask the concurrence of the Senate ; also,

A bill to incorporate the Homer High School, located at Homer, in Banks county, Georgia, to confer certain powers upon the Trustees of said school, to incorporate the Waresboro Seminary, in the county of Ware, and to incorporate the Savannah Screwmen's Benevolent Association, and for other purposes therein named, with amendments, in which they ask the concurrence of the Senate ; also,

A bill to incorporate the Swainboro Railroad company ; also,

A bill to authorise the Inferior Court of Putnam county to levy an educational and military tax.

They have also considered a bill to regulate the granting licenses to retail spirituous liquors in the counties of Burke and Columbia, and for other purposes, in lieu of which they have passed the substitute herewith, and ask the concurrence of the Senate therein.

They have also passed a bill to amend the several acts incorporating the city of Dalton, and amendatory of, and in addition to the several acts incorporating the city of Atlanta, with amendments, in which they ask the concurrence of the Senate ; also,

A bill to consolidate the offices of Tax Collector and Receiver of Tax Returns in the county of Catoosa, and for other purposes, with an amendment, in which they ask the concurrence of the Senate ; also,

A bill to incorporate the Rome Gas Light Company, of the city of Rome, Floyd county, Georgia ; also,

A bill to be entitled an act to incorporate the town of Montezuma, in Macon county and to repeal the 12th, 13th and 14th sections of an act approved 8th February, 1854 ; also,

A bill to incorporate the Excelsior Mining Company of Georgia ; also,

A bill to incorporate the town of Bethany, in the county of Jefferson, and to appoint Commissioners for the same, and for other purposes therein mentioned ; also,

A bill to amend the 10th section of an act entitled an act to lay out and organize a new county from the counties of Lumpkin and Gilmer, and for other purposes, assented to December 3d, 1857, and to provide for carrying out the true intent and meaning of the same, with an amendment in which they ask the concurrence of the Senate ; also,

A bill to reduce the work on Roads in this State, so far as relates to the county of Appling, with amendments, in which they ask the concurrence of the Senate; also,

A bill for the relief of James P. Wilkinson, of the county of Walton, security on the penal bond of B. J. Wilson; also,

A bill to amend an act incorporating the town of Butler, in Taylor county, and other places therein mentioned, approved February 8th, 1854, to change the limits of the town of Jonesboro, in Clayton county, to extend the limits of the town of Forsyth, in Monroe county, and to confer certain powers on the Commissioners of the town of Forsyth, with amendments, in which they ask the concurrence of the Senate; also,

A bill to make penal the using of any poisonous substance in any of the water courses in the county of Webster for the purpose of poisoning and catching fish; also,

A bill to change the county line between the counties of Terrell and Webster; also,

A bill for the relief of E. T. Linah, of Warren county, from the double tax imposed for the year 1860; also,

A bill to incorporate the town of Belleville, in the county of Richmond; also,

A bill to allow and authorize William J. Avery, of the county of Merriwether, to peddle in the said county without license; also,

A bill to authorize A. Wallace Starke of the State of Alabama, to act as administrator of the estate of George W. Harrison, deceased, late of the county of Baldwin, and for other purposes; also,

A bill to amend an act entitled an act to regulate the fees of Jurors in Justices Courts in the counties of Catoosa and Dade, so far as the same relates to the county of Catoosa; also,

A bill to amend an act entitled an act to name and incorporate the town of Springplace, in the county of Murray, assented to in 1834, and to repeal an act to amend the 6th section of the above recited act, assented to 1839, and for other purposes; also,

A bill to transfer all suits from the Superior Court of the county of Heard, in which B. H. Wright is defendant and all papers appertaining to the same to the Superior Court of the county of Carroll; also,

A bill to authorize the Courts of Ordinary of this State to issue executions in favor of widows and children, for the twelve months support allowed them by appraisers appointed for that purpose, under an act of the General Assembly, approved the 19th Feb., 1856; also,

A bill to provide for the disposal of the estate of Francis Brooks, late of Marion county, deceased; also,

A bill to incorporate the Glover Guards, of the town of Monticello, in Jasper county, and the Fireside Guards, a Volunteer Company of Elbert county, and to extend the provisions of this act to the Columbia Volunteers of the town of Dearing, and the Thompson Guards of the town of Thompson in the county of Columbia, and for other purposes, with amendments, in which they ask the concurrence of the Senate ; also,

A bill to incorporate the Atlanta Publishing Company

Mr. Wellborn offered the following resolution, which was read :

Resolved, That hereafter no member shall be allowed to speak more than ten minutes on any one subject, unless by consent of two-thirds of the Senate.

The Senate took up the following bill, which had been amended in the House of Representatives :

A bill to authorise the Board of Education of Butts county, to allow and require the Ordinary of said county to pay to Addison Taliaferro and Thomas J. Hammond, teachers of poor children, out of any money belonging to the poor school fund of said county

On motion the amendment was concurred in.

The Senate took up the following bill, which had been amended in the House of Representatives :

A bill to change and fix the times of holding the Superior Courts in the county of Muscogee.

On motion the amendment was concurred in.

The Senate took up the following bill, which had been amended in the House of Representatives :

A bill to compensate the Sheriffs of the counties of Banks, Milton and Whitfield, for summoning Jurors, and to compensate the Sheriff and Deputy Sheriff of Fulton county.

On motion the amendment was concurred in.

The Senate took up the following bill, which had been amended in the House of Representatives :

A bill to define the boundary line between the counties of Chattahoochee and Muscogee.

On motion the first amendment was concurred in, and the second was disagreed to.

Mr. King, from the Joint Select Committee, to whom was referred the communication of the Governor of Mississippi, to the Governor of this State, asks leave to submit the following report :

Whereas, A large portion of the people of the non-slaveholding States, have, for many years past, shown, in many ways, a fanatical spirit bitterly hostile to the Southern

States, and have, through the instrumentality of incendiary publications, the pulpit and the newspaper press, finally organized a political party for the avowed purpose of destroying the institution of slavery, and consequently spreading ruin and desolation among the people in every portion of the States where it exists, and

Whereas, This spirit of fanaticism has allied itself with a design long entertained by leading politicians of the North, to wield the taxing power of the Government, for the purpose of protecting and fostering the interests of that section of the Union, and also, to appropriate the common Territories of the United States to the exclusive use of Northern emigration, for the purpose of extending, consolidating and rendering that power irreversible:

And whereas, These designs and movements have attained such ascendancy, as to combine a large majority of the Northern people in this sectional party, which has elected to the Presidency and Vice Presidency of the United States, candidates who are pledged in the most solemn form and the plainest, repeated declarations to wield all the influence and power of the Federal Government to accomplish the objects and purposes of the party by which they have been elected:

And whereas, Many of the slaveholding States are about to assemble in convention, for the purpose of adopting measures for the protection of their rights, and the security of their institutions:

And whereas, The State of Mississippi has, in a noble spirit of fraternity, sent a commissioner to communicate to this General Assembly, her desire in the emergency in our Federal Relations. Therefore, be it

Resolved, 1st. That the General Assembly of Georgia, has listened with sentiments of profound sympathy and respect to the message of Mississippi, on the subject of the present threatening relations of the Northern and Southern sections of the United States, communicated by her distinguished Commissioner, the Hon. Wm. L. Harris.

Resolved, 2d. That believing, as we do, that the present crisis in our National affairs, demands resistance, this General Assembly, at its present session, has, with great unanimity, passed an Act providing for the call of a Convention of the people of Georgia, to assemble on the 16th day of January, 1861, for the purpose of determining on the *mode, measure*, and time of that resistance.

Resolved, 3d. That we cordially respond to the patriotic hopes of Mississippi, so earnestly expressed by her Legislature, and so ably communicated by her Commissioner, and we do hereby give to our sister State, the confident assurance, that in our judgment, Georgia will promptly co-op-

erate with her, in the adoption of efficient measures, for the common defence, safety and honor of the South.

Resolved, 1th, That should any, or all of the Southern States determine, in the present emergency, to withdraw from the Union, and resume their sovereignty, it is the sense of this General Assembly, that such seceding States should form a Confederacy under a republican form of Government, and to that end, they should adopt the Constitution of the United States, so altered and amended as to suit the new state of affairs.

Resolved, 5th., That we do hereby express our cordial appreciating of the dignified and gentlemanly bearing of the Hon. William L. Harris, toward this General Assembly, as well as the satisfactory manner in which he has discharged the responsible duties of his high commission.

Resolved, further, That his Excellency the Governor be, and he hereby is requested to cause all the proceedings in the reception of the Commissioner from the State of Mississippi to be enrolled on parchment, signed by the officers of both Houses of the General Assembly, and by the Governor, with the Seal of State attached thereto, and that the same be presented by him to the Hon. William L. Harris as the response of Georgia to the friendly greeting of Mississippi.

On motion five hundred copies of the same were ordered to be printed for the use of the Senate.

Mr. Printup Chairman of the Committee on Finance made the following report :

The Committee to whom was referred the Message of his Excellency the Governor, and the House resolutions upon the subject of Direct Trade, and the immediate necessity of direct steam communication with Europe, beg leave to report that a bill has passed both branches of the General Assembly, embracing the provisions of the resolutions referred to this committee for their consideration.

It will be observed from this referred to, that the Belgian-American Company, for the development of direct trade with the Southern States of America, is chartered, and provisions made for placing a line of steamers on the move between Savannah and Antwerp. To that end the shares of the company are guaranteed to the extent of five per cent. upon two million dollars of the same. The contemplated service will probably make Falmouth, in England, a port of call. Falmouth was, before the French Revolution, the packet station for Northern Europe. The French war, and the introduction of steam, have induced a concentration of shipping at Liverpool.

The property holders of Falmouth are naturally anxious

to restore the use of the docks and ware-houses of that city. The immense railway interest concentrating in the South of England, will add interest to the Falmouth enterprise, and your committee reasonably hope that the guarantee of Georgia will be duplicated by the parties or corporations interested in Falmouth. The people of Falmouth will no doubt take immediate steps to place a line of boats between that port and Havre as feeders, which will give the command of French freights. The European terminus of the proposed line of steamers is at Antwerp, in Belgium. Antwerp is the key to the trade of the Rhine, and is the focus point of the entire railway system of Central Europe, holding the same geographical position to that country which Savannah holds to the South and South-west.

Your committee deem it important to direct attention also to the Gulf trade which is being reached by the Georgia railway system. This Gulf trade not only includes the trade of Texas and Mexico, but embraces naturally the gold of California. By the Central Road Savannah reaches the Mississippi at Memphis, and in a few days, by an almost air line route, we shall be in relation with Vicksburg. These channels of communication, travel and freight, must of necessity pour their patronage and their wealth into that natural European steam terminus which Georgia enterprise will establish for the South.

But aside from the railway interest, your Committee believe that true wisdom should induce the Southern States to establish, forthwith, independent facilities by steam for the remittance of our valuable commercial and bankers' letters, bills of lading of our produce, samples representing qualities and values, orders for insurances and the exchanges of the South. The steamers would also bring back direct into Savannah any specie shipped from Europe to the Southern States. This service will stimulate direct importation, and furnish a convenient and attractive inducement, influencing our merchants to visits Europe, and seek abroad the goods of foreign manufacture or production required by the South.

The mineral resources of the State will also feel the animating influence of the proposed steam service. The copper and other ores of northern Georgia will have attention drawn to them, and European capital will not be slow in seeking investments. These ores will furnish ballast freights for steamers, and as the value of copper and other ores become known, another source of State wealth will be developed. It is needless to point out the immense interest the cotton planting community has in this steam service. To the cotton planter, it is the great measure for working out his deliverance from the ruinous system which has so long held him in subjection, a mere bower of wood and

drawer of water to those who live and move and have their being through the product of his time, labor, intelligence and capital.

Your Committee determined to give the guarantee of the State upon the shares of the Belgian Company, leaving the Foreign Company the option of accepting the same as they may think best. This was done from several considerations. This company of enterprising men have already given to direct trade the moral support and credit of their names. The Belgian government has made this matter a question of State policy, and the exhibition at Macon is substantial evidence of their earnestness in this great cause. This recognition on the part of the great State of Georgia of their Company, will encourage these people. They will see by this act that we are in earnest. The action of Georgia will inspire confidence in other Southern States. Our substantial guarantee upon two million dollars of the shares of the Belgian Company will impart additional confidence to capitalists in Europe, and we are thus creating a financial nucleus which will yet grow into important dimensions.

In this nature of things these capitalists will examine critically into the resources, means, and credit of the State. Once their confidence fixed, and the guarantee of the State accepted, approved and endorsed, Georgia has by act a source from which to obtain money, if henceforth she should desire to effect a European loan. Nor do we think that the high spirited government of Belgium will remain an idle recipient of the advantages of this steam service.

Your committee anticipate with well founded confidence that Belgium will respond by a guarantee or subsidy equal to that of Georgia.

Your committee, therefore, in submitting the measure they did, are supported by the intelligent conviction, that it tends directly to the advancement of the wealth, population, and general prosperity of the State, and will realize to Georgia the full benefits of those advantages which nature has lavishly bestowed upon her. Therefore they would recommend that in accrediting a Commissioner to Europe, as provided for under the Bill referred to, that his power be enlarged by authority of the Governor to enquire into the advantages of direct commercial exchange, and financial arrangements, as referred to in the amendments offered to the House Resolutions, by the distinguished Senator from Glynn, and with this recommendation, the objects and intentions of the Resolutions and amendments having been accomplished in a more solemn form, we recommend that no further action be taken thereon.

For the Committee,

DANIEL S. PRINTUP, Chairman.

On motion five hundred copies of the same was ordered to be printed for the use of Senate.

On motion the Senate adjourned until 7 o'clock, P. M.

SEVEN O'CLOCK, P.M.

The Senate met according to adjournment.

The Senate took up the special order which was a bill of the House of Representatives to approve, adopt and make of force in the State of Georgia a revised code of laws, prepared under the direction and by authority of the General Assembly thereof, and for other purposes therewith connected.

Mr. Oliver moved to amend the report by adding a proviso to said bill; which was agreed to.

Mr. Bartlett moved further to amend the report by striking out in the first section the words "in manner and time as therein provided" and insert the words "on the 1st day of January 1862," which was agreed to.

Mr. Tracy moved further to amend the report by adding a proviso to said bill; which was agreed to.

The report as amended was agreed to. The bill was read the third time, and upon the question "shall this bill now pass?" the yeas and nays were recorded, and were yeas 41, nays 35.

Those who voted in the affirmative are Messrs.

Barrow, Bond, Briscoe, Burnett, Cloud, Cooper, Cook, Ferrill, Flewellen, Gaston, Green, Harris of Dougherty, Hightower, Hill of Troup, Hill of Wilkes, Holt, Hood, Hyde, Jones, Merrill, McGehee, Moore of Laurens, Oliver, Printup, Reid of Morgan, Smith of Talbot, Spalding, Sturges, Tarver, Turner, Tracy, Usry, Wallace, Ward, Ware, Wellborn, Wells, Whitehurst, Williams of Terrell, Wilson, Wynne.

Those who voted in the negative are Messrs :

Allred, Barclay, Bartlett, Batts, Brown, Carter of Elbert, Cone, Cowen, Davis, Denham, Donaldson, Fulton, Glover, Griffin of Twiggs, Hart, Harris of Worth, Jamison, King, Lawton, Lockhart, Maples, Reid of Taliaferro, Riley, Riley, Ritch, Robinson, Sawyer, Shelton, Sheppard, Smith of Hancock, Snell, Summerour, Walker, White, Whitworth, Williams of Rabun.

So the bill was passed.

The following message was received from the House of Representatives, by Mr. Hillyer, their Clerk :

Mr. President :—The House of Representatives have passed the following bills of the Senate, to wit :

A bill to repeal an act entitled an act, to levy a tax on all goods peddled in this State, or sales by sample or otherwise, by itinerant drummers or other persons, and for other purposes, assented to Dec. 15th, 1859, with amendments in which they ask the concurrence of the Senate.

A bill to prevent free negroes and slaves, from keeping eating tables and living separate and apart from their owners, hirers or guardians, and to prevent their trafficking and trading in the town of Monroe in this State, and to prescribe punishment for the same and for other purposes, with an amendment, in which they ask the concurrence of the Senate ; also,

A bill to provide for the trial of causes in the Superior Courts of this State, where the Judge presiding in such Court, shall be incompetent to try the same under existing laws ; also,

A bill to amend the twelfth section of the thirteenth division of the Penal Code ; also,

A bill to point out the method of distributing negroes in certain cases therein mentioned, with amendments, in which they ask the concurrence of the Senate ; also,

A bill to change the form of the oath required of tax payers in this State, with amendments, in which they ask the concurrence of the Senate.

Mr. Quillian from the committee on Journals made the following report :

The Committee on Journals have carefully examined and compared the same with the records so far as completed, and take pleasure in saying, that they find that the duties of the Clerks in this department have been discharged with great accuracy, neatness and fidelity, that the records submitted to them, are unsurpassed in beauty, style and penmanship, and in consequence of business, yet to be disposed of, recommend the passage of the following resolution :

Resolved, That the recording Clerks of the Senate be allowed fifty days to record the Journal and make a full and complete index to the same, and that the Senator from the county of Baldwin be, and he is hereby appointed to examine and report upon the Journals on the completion of the same, and that the Governor be requested to compensate him for such service from the contingent fund.

The following message was received from the House of Representatives by Mr. Hillyer their Clerk :

Mr. President : The House of Representatives have considered the Senate's amendment to a bill of the House, to appropriate money to the Cotton Planter's Convention, and for other purposes, and have refused to concur therein, and ask the Senate to recede from said amendment.

The Senate took up the following bill of the House of Representatives, which had been amended in the Senate, and a refusal on the part of the House of Representatives to concur.

On motion the Senate receded from the amendment.

The Senate took up the following bill, which had been amended in the House of Representatives :

A bill to consolidate the offices of Tax Collector and Receiver of Tax Returns in the county of Catoosa.

On motion the amendment was concurred in.

The Senate took up the following bill of the House of Representatives :

A bill to amend the several acts incorporating the city of Dalton, and amendatory of the several acts incorporating the city of Atlanta.

On motion the amendment was concurred in.

The Senate took up the following bill which had been amended in the House of Representatives :

A bill to authorize the Inferior Courts of Henry and Crawford counties to levy an extra tax for the support of the indigent poor of said counties.

On motion the amendment was concurred in.

The Senate took up the following bill which had been amended in the House of Representatives :

A bill to incorporate the Homer High School, at Homer Banks county, and for other purposes.

On motion the amendment was concurred in.

The Senate took up the following bill which had been amended in the House of Representatives :

A bill to regulate and prescribe the fees of juries in civil cases, so far as relates to the county of Catoosa, and for other purposes.

On motion the amendment was concurred in.

Mr Harris, of Dougherty, from the committee on enrollment, reported as duly enrolled and ready for the signature of the President of the Senate :

An act to provide for the public defence and for other purposes.

The Senate took up the following bill, which had been vetoed by His Excellency, the Governor.

A bill to incorporate the Home Loan Association ; the Peoples Mutual Loan Association, and the Augusta Mutu-

al Loan Association of Augusta, and for other purposes therein mentioned.

Upon the question, "shall this bill now pass over the veto of His Excellency the Governor?" the yeas and nays were recorded, and were, yeas, 57; nays, 19.

Those who voted in the affirmative, are Messrs.

Allred, Barrow, Barclay, Bartlett, Boggs, Bond, Briscoe, Brown, Burnett, Carter of Elbert, Cloud, Cooper, Cook, Ferrill, Flewellen, Fulton, Gaston, Hart, Harris of Dougherty, Harris of Worth, Hightower, Hill of Troup, Hill, of Wilkes, Holt, Hood, Hyde, Jamison, Jones, King, Lawton, Lockhart, McDuffie, McGehee, Moore, of Laurens, Oliver, Paine, Printup, Quillian, Reid, of Morgan, Reid of Taliaferro, Riley, Shelton, Smith of Hancock, Smith of Talbot, Spalding, Sturges, Tarver, Turner, Tracy, Usty, Ward, Wellborn, Whitehurst, Williams, of Rabun, Williams of Terrell, Wilson, Wynne.

Those who voted in the negative, are Messrs.

Batts, Cone, Cowen, Denham, Donaldson, Glover, Green, Griffin of Twiggs, Maples, Ritch, Robinson, Sawyer, Shepard, Snell, Summerour, Walker, Ware, White, Whitworth.

Yeas 57, nays 19. So the bill was passed by a Constitutional majority of two-thirds over the veto of His Excellency the Governor.

The Senate took up, as the report of the Committee of the whole, a bill of the House of Representatives, to change the line between the counties of Merriwether and Talbot and Appling and Ware.

Mr. Smith of Hancock, moved to amend the report by adding an additional section, changing the line between the counties of Talbot and Chattahoochee, which was agreed to.

The report as amended was agreed to, the bill was read the third time, and passed.

The Senate took up, as the report of the Committee of the whole, a bill of the House of Representatives to consolidate the offices of Clerk of the Superior and Inferior Courts of the counties of Randolph and Harris, and for other purposes.

The report was agreed to. The bill was read the third time and passed.

Mr. Harris of Worth offered the following resolution, which was taken up, read and lost.

Resolved, That the Governor be requested to purchase a suitable chandelier in place of the very worthless one now in the Senate Chamber out of the contingent fund, and that he be instructed to dispose of the old one to the best advantage.

Mr. Paine offered a resolution authorizing the Secretary to correct the Journal on account of a certain bill being transmitted from the House of Representatives through mistake, which was agreed to.

The Senate took up the following bill, which had been amended in the House of Representatives :

A bill to change the line between the counties of Walton and Newton and Jasper.

On motion the amendment was concurred in.

The Senate took up the following bill, which had been amended in the House of Representatives :

A bill to change the line between Henry and Butts counties.

On motion the amendment was concurred in.

The Senate took up the following bill, which had been amended in the House of Representatives :

A bill to authorize Guardians, Trustees, Executors and Administrators, to invest in the Bonds of the city of Savannah.

On motion the amendment was concurred in.

The Senate took up the following bill, which had been amended by the House of Representatives :

A bill to compel non-residents of the county of Emanuel, owning stock cattle in said county to pay taxes for the same in said county.

On motion the amendment was concurred in.

The Senate took up the following bill, which had been amended in the House of Representatives :

A bill to incorporate the Glover Guards of the town of Monticello, in Jasper county, and the Fireside Guards, a Volunteer company of Elbert county, and to extend the provisions of this act to the Columbia Volunteers of the town of Dearing, and the Thompson Guards of the town of Thompson in the county of Columbia, and for other purposes.

On motion the amendment was concurred in.

The Senate took up the following bill, which was amended in the House of Representatives :

A bill to amend an act incorporating the town of Butler in Taylor county and other places therein mentioned, approved Feb. 8th, 1854, to change the limits of the town of Jonesboro, in Clayton county, to extend the limits of the town of Forsyth, in Monroe county, and to confer certain powers on the Commissioners of said town of Forsyth.

On motion the amendment was concurred in.

The Senate took up the following bill, which had been amended in the House of Representatives :

A bill to reduce the work on roads in this State, so far as relates to the county of Appling.

On motion the amendment was concurred in.

The Senate took up the following bill, which had been amended in the House of Representatives :

A bill to regulate the granting licenses to retail spirituous liquors in the counties of Burke and Columbia, and for other purposes.

On motion the amendment was concurred in.

The Senate took up the following bill, which had been amended in the House of Representatives :

A bill to incorporate the Atlanta Publishing Company

On motion the amendment was concurred in.

The Senate took up the following bill, which had been amended in the House of Representatives :

A bill to prevent free negroes and slaves from keeping eating tables and living separate and apart from their owners, hirers or guardians, and to prevent their trafficking and trading in the town of Monroe in this State, and to prescribe punishment for the same, and for other purposes.

On motion the amendment was concurred in.

The Senate took up the following bill, which had been amended in the House of Representatives :

A bill to point out the method of distributing negroes in certain cases therein mentioned.

On motion the amendment was concurred in.

The Senate took up the following bill, which was amended in the House of Representatives :

A bill to incorporate the Amaculola Creek Hydraulic Hose Mining Company, of the counties of Dawson and Lumpkin, and for other purposes therein specified.

On motion the amendment was concurred in.

The Senate took up the following bill, which had been amended in the House of Representatives :

A bill to change the form of the oath required of tax payers in this State.

On motion the amendment was concurred in.

The Senate took up the following bill, which had been amended in the House of Representatives :

A bill to repeal an act entitled an act to levy a tax on all goods peddled in this State or sales by sample or otherwise by itinerant drummers or other persons, and for other purposes, assented to December 15th, 1859.

On motion the amendment was concurred in.

The Senate took up the following bill, which had been amended in the House of Representatives :

A bill to protect the owners of stock in the counties of Fannin and Dawson against killing any stock of the discip-

tion therein named under any claim or pretended claims except as herein provided, and to provide penalties for the same.

On motion the amendment was concurred in.

The Senate took up the following bill, which had been amended in the House of Representatives :

A bill to amend an act incorporating the town of Grantville in the county of Coweta, passed 13th Feb. 1854, and to incorporate Albany Lodge, No. 24, of Free and Accepted Masons of Dougherty county, Georgia, and also to incorporate Albany Chapter of Royal Arch Masons, No. 151, of the county of Dougherty, State of Georgia.

On motion the amendment was concurred in.

The Senate took up the following bill, which had been amended by the House of Representatives :

A bill for the relief of Smith Campbell late of the county of Worth, now Butts county; also for the relief of John Stewart, of the county of Baldwin, and for other purposes.

On motion the amendment was concurred in.

The Senate took up the following bill, which had been amended by the House of Representatives :

A bill to change the times of holding the Superior Courts of the counties of Washington, Wilkinson, Polk and Carroll and to add the county of Washington to the Ocmulgee Judicial Circuit, and for other purposes herein mentioned.

On motion the amendment was concurred in.

The Senate took up the following bills of the House of Representatives, which were severally read the second time, and referred to the committee of the whole :

A bill to amend the laws of this State relative to the selection of Jurors in civil and criminal cases. Also,

A bill to allow Sheriffs, Constables, and Coroners, additional compensation in certain cases therein mentioned, and for other purposes. Also,

A bill to further amend an act entitled an act to empower the General Courts of Pleas to grant writs of partition of lands and tenements held in coparcenary joint tenancy, and tenancy in common, in this province, and appointing the method of proceeding therein, passed 26th March, 1767, and to amend the acts amendatory thereof, the one passed December 22nd, 1827, and the other the 26th December, 1837, and for other purposes. Also,

A bill to repeal an act entitled an act to extend the corporate limits of the town of Carrollton, in the county of Carroll, approved Feb. 8, 1856. Also,

A bill to alter and amend the road laws in the counties of Hart, Warren, Spalding, Crawford, Ware, Rabun, Clayton and Whitfield. Also,

A bill for the relief of James M. Summers, of the county of Forsyth, and for other purposes. Also,

A bill to amend the charter of the Macon Canal Company, approved 22nd February 1850. Also,

A bill to authorize the establishment of an Armory, in the town of Marietta, in the county of Cobb, and to grant corporate powers and privileges to the same, and for other purposes therein mentioned. Also,

A bill to incorporate the Presbyterian and Baptist Churches, in the city of Greensboro, and to appoint trustees for the same, and for other purposes. Also,

A bill for the relief of Edmund Palmer and Wm. L. Buxton, both of the county of Burke, and for other purposes. Also,

A bill to authorize B. P. Key, of the county of Jasper, his heirs and assigns, to extend and keep up a dam across the Ocmulgee River on his own lands, and for other purposes therein mentioned. Also,

A bill to incorporate the Nickajack Manufacturing Company, and for other purposes. Also,

A bill to incorporate the town of Canton, of Cherokee county, and to appoint commissioners for the same, and to define their duties and powers for and in said corporation. Also,

A bill to amend the several acts incorporating the city of West Point, and to make valid the purchase of the bridge across the Chattahoochee River, in said city, by the said city authorities, and for other purposes therein mentioned. Also,

A bill to incorporate Fort Valley Female College, in the town of Fort Valley, and to incorporate trustees for the same, also to incorporate Charlton Chapel, Nebraska, Banks, county, also to incorporate the trustees of Hephzibah High School, at Brothersville, Richmond county, and for other purposes. Also,

A bill to impose and fix a penalty upon persons failing or refusing to give in for taxes negroes held in nominal slavery. Also,

A bill to incorporate the Southern Eclectic Medical College of the city of Atlanta. Also,

A bill to compensate the Superintendents of elections in the county of DeKalb; also,

A bill to provide for the compulsory attendance of witnesses upon the Courts in all civil and criminal causes in this State. Also,

A bill to incorporate the Citizens Fire Company No. (8.) eight, of Augusta, to grant certain privileges to the members of said Company, and for other purposes therein named: also,

A bill to prescribe the oath of witnesses before Grand Juries. Also,

A bill for the election of Treasurer in the counties of Harris and Glascock. Also.

A bill to incorporate the Brasstown Baptist Camp Ground, in the county of Towns. Also,

A bill to prevent the hiring of slaves to free persons of color, to provide a penalty for the same, and for other purposes. Also,

A bill to incorporate the Summerville Academy of Richmond county. Also,

A bill to incorporate the village of Summerville, in the county of Richmond, to provide for the election of commissioners, to prescribe the powers and duties of said Commissioners, and to incorporate Center Chapel Camp Ground, in Appling county, and the Mount Zion Evangelical Lutheran Church, and for other purposes. Also,

A bill to organize the South Western Battalion of the State of Georgia, and to confer certain privileges upon the same. Also,

A bill to determine who shall be the proper collecting officers for the Superior Courts of this State. Also,

A bill to incorporate Sparks Fire Company No. 4, in the city of Macon, and for other purposes. Also,

A bill for the relief of Daniel W Shine, of the county of Twiggs. Also,

A bill to divide and distribute real and personal estate left by will, jointly to two or more legatees, without providing for the division of the same. Also,

A bill to compel non-residents of Georgia owning land in this State, to return and pay tax for the same, in the county where the land lies, and for other purposes therein named. Also,

A bill to incorporate the Cotton Planter's Bank of La-Grange. Also,

A bill to create and establish a Commissioner of Public Schools, to define the duties and provide for the appointment of the same. Also,

A bill to protect the estates of married women, to provide the manner of securing the same, and for other purposes therein mentioned. Also,

A bill to alter and change the lines of the incorporation of the town of Jonesboro. Also,

A bill for the regulation of sales by auctioneers and vendue masters within the limits of this State, and for other purposes therein mentioned. Also,

A bill amendatory of an act assented to on the 23rd of February, 1850, to compel discoveries at common law, and to allow plaintiffs to prove their accounts by written affidavits. Also,

A bill to repeal an act passed December 20th, 1849, entitled an act to regulate the fees of Attorneys and Solicitors General, and for other purposes therein specified, so far as the same may relate to the county of Chattooga, in

the Cherokee Judicial Circuit, and the county of Floyd, in the Tallapoosa Judicial Circuit, also to the counties of Dade and Gordon, in this State, and for other purposes. Also,

A bill to prescribe the manner of establishing lost papers in the Superior and Inferior Courts of this State. Also,

A bill for the relief of John S. Murphy, of Columbia. Also,

A bill to dispose of the school fund in certain counties therein mentioned, and for other purposes. Also,

A bill to amend an act incorporating the town of Fairburn, in the counties of Fayette and Campbell. Also,

A bill to abolish imprisonment for debt on certain conditions herein set forth, and for other purposes, assented to December 11th, 1858, so far as the county of Bibb is concerned. Also,

A bill to amend the attachment laws of the State of Georgia. Also,

A bill to repeal an act entitled an act to authorize the Inferior Court of Early county to levy a Road Tax, and for other purposes. Also,

A bill to define the jurisdiction of Justices of the Peace in the city of Macon, and to amend the laws regulating fees of Constables and Justices of the Peace in the county of Bibb. Also,

A bill to alter and amend an act to define and establish the fees of Ordinaries, Clerks of the Superior and Inferior Courts, Sheriffs, Jailors, Justices of the Peace, and Constables, of this State, and for other purposes, so far as relates to the fees of Sheriffs in the county of Gordon. Also,

A bill to regulate the retailing of spirituous liquors, in the counties of Chattooga and Dade. Also,

A bill to provide for making parties in certain cases, and for other purposes. Also,

A bill to declare a sale made by the representatives on the estate of Isaac Boring, deceased, of a certain house and lot in the town of Eatonton, known as the Broadfield lot, in the year 1852, illegal and void, and to allow James M. Broadfield, the present administrator on said estate, leave to sell and make good and sufficient titles to the same in such manner as he shall deem most advantageous to the interest of said estate. Also,

A bill to regulate the fees of Magistrates and Constables, in the city of Augusta, and for other purposes. Also,

A bill for the relief of Solomon Newson, of Lowndes county, and for other purposes. Also,

A bill for the relief of John C. Reese, of the county of Chattahoochee. Also,

A bill for the relief of Hiram L. Travis, of the county of Spalding, from double tax. Also,

A bill to repeal an act assented to 12th February, 1856, entitled an act to compensate Grand and Petit Jurors of the counties of Catoosa and Polk, as far as it relates to the county of Catoosa, and for other purposes therein named. Also,

A bill to change the name of the Southern Central Agricultural Society, and to appropriate money for the same. Also,

A bill to incorporate the Coosa Bank, and for other purposes therein mentioned. Also,

A bill for the relief of William E. West, of the county of Polk. Also,

A bill to confer upon certain illegitimate persons therein named, the rights and privileges that would have belonged to them had they been born in lawful wedlock, upon certain conditions, and to make them heirs at law of certain persons, and for other purposes. Also,

A bill for the relief of Mrs. Annie T. Carroll, wife of Robert Carroll, of Richmond county. Also,

A bill to provide for an Agricultural and Geological Survey of the State, and for other purposes.

Senate took up as the report of the Committee of the whole, a bill of the House of Representatives, to authorize Geo. B. May to practice medicine in the county of Murray, without license.

The report was agreed to. The bill was read the third time and passed.

The Senate took up as the report of the Committee of the whole, a bill of the House of Representatives to extend the provisions of the act of Dec. 19th, 1859, relative to the Reporter of the Supreme Court to the former Reporter of said Court.

The report was agreed to. The bill was read the third time and passed.

The Senate took up as the report of the Committee of the whole, a bill of the House of Representatives to change the forty-fourth section of the eighth division of the Penal Code of this State.

The report was agreed to, the bill was read the third time and passed.

The Senate took up, as the report of the Committee of the whole, a bill of the House of Representatives for the relief of Jeremiah H. Dupree, Receiver of Tax Returns in and for the county of Dooly.

The report was agreed to. The bill was read the third time and passed.

The Senate took up, as the report of the Committee of the whole, a bill of the House of Representatives to incorporate the Athens Insurance Company.

The report was agreed to. The bill was read the third time and passed.

The Senate took up as the report of the Committee of the Whole, a bill of the House of Representatives, to incorporate the Stephens Gold Mining Company.

The report was agreed to. The bill was read the third time and passed.

The Senate took up, as the report of the Committee of the Whole, a bill of House of Representatives for the relief of Mitchell Fountain and Lemuel Lavender.

The report was agreed to. The bill was read the third time and passed.

The Senate took up, as the report of the Committee of the Whole, a bill of the House of Representatives, to establish a Mounted Police, in the county of McIntosh, and for other purposes.

The report was agreed to, the bill was read the third time and passed.

The Senate took up, as the report of the Committee of the Whole, a bill of the House of Representatives, to repeal the 1st and 2nd sections of an act of the 17th Dec. 1859, relative to defaulters for taxes, and for other purposes.

The report was agreed to. The bill was read the third time and passed.

The Senate took up a Resolution of the House of Representatives, in relation to the several Courts of this State adjourning when the time of sitting interferes with the coming State Convention.

On motion the same was concurred in.

Senate took up as the report of the committee of the whole, a bill of the House of Representatives to incorporate the Courticay Hydraulic Hose Mining Company.

Mr. Harris of Worth moved to amend the report by striking out in the 11th section the words "for a term not less than one nor more than four years;" which was agreed to.

The report as amended was agreed to, the bill was read the third time and passed.

The Senate took up, as the report of the Committee of the whole, a bill of the House of Representatives to prevent the firing of woods between the first day of May and the first day of February, in each and every year in the county of Wilcox, and for other purposes.

The report was agreed to. The bill was read the third time and passed.

The Senate took up as the report of the Committee of the Whole, a bill of the House of Representatives to amend an act to incorporate the Georgia White Path Gold and Copper Company.

The report was agreed to ; the bill was read the third time and passed.

The Senate took up as the report of the Committee of the Whole, a bill of the House of Representatives to repeal so much of an act assented to Dec. 15th, 1859, entitled an act to levy a tax on all goods peddled in this State, and for other purposes.

On motion the same was indefinitely postponed.

Senate took up a bill of the House of Representatives to authorize the legal Representatives of Intestates and Testators, of other States, to sue in this State.

On motion the same was indefinitely postponed.

On motion the Senate adjourned until 9½ o'clock to-morrow morning.

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WEDNESDAY, DECEMBER 19TH, 1860, }
9½ O'CLOCK A. M. }

The Senate met according to adjournment, and was opened with prayer by Rev. Mr. Curtis.

Mr. Holt moved to reconsider so much of the journal of yesterday as relates to the vote by which a bill of the House of Representatives to approve, adopt, and make of force in the State of Georgia a Revised Code of Laws, prepared under the direction and by authority of the General Assembly thereof, and for other purposes therewith connected, was passed ; which was agreed to.

On motion the rules were suspended, and the Senate took up the following reconsidered bill, which was, a bill of the House of Representatives to approve, adopt, and make of force in the State of Georgia a Revised Code of Laws, prepared under the direction and by authority of the General Assembly thereof, and for other purposes therewith connected.

Mr. Tracy moved to amend the report by striking out the proviso offered by him ; which was agreed to.

The report as amended was agreed to, the bill was read the third time and passed.

The Senate took up as the report of the Committee of the Whole, a bill of the House of Representatives for the publication of the Code of the State of Georgia, and for other purposes.

Mr. Oliver moved to amend the report by striking out all of the first section after the word "same," and offering a substitute therefor; which was agreed to.

The report as amended was agreed to, the bill was read the third time and passed.

The Senate took up as the report of the Committee of the Whole, a bill of the House of Representatives for the relief of Daniel W. Shine, of the county of Twiggs.

The report was agreed to. The bill was read the third time and passed.

The Senate took up as the report of the Committee of the Whole, a bill of the House of Representatives to pay James H. Estes a sum of money lost by him by reason of an error in the records of the State of Georgia.

The report was agreed to.

Upon the question "shall this bill now pass?" the yeas and nays were recorded, and were, yeas, 53; nays, 23.

Those who voted in the affirmative are Messrs.:

Barclay, Bartlett, Batts, Billups, Boggs, Bond, Briscoe, Carter of Echols, Cloud, Cooper, Davis, Delaperriere, Ferrill, Fulton, Glover, Harris of Worth, Hill of Troup, Hill of Wilkes, Holt, Jamison, Johnson of Clayton, Jones, King, Lamar, Lawton, McGehee, McLeod, Paine, Printup, Quillian, Reid of Morgan, Reid of Taliaferro, Riley, Rushin, Sawyer, Shelton, Shellnut, Sheppard, Smith of Hancock, Smith of Talbot, Snell, Sturges, Tarver, Turner, Tracy, Trippe, Wallace, Ward, Wellborn, Wells, White, Whitehurst, Wynne.

Those who voted in the negative are Messrs.

Brown, Cook, Cone, Denham, Donaldson, Flewellen, Green, Griffin of Twiggs, Hart, Harris of Dougherty, Hood, Hyde, Lockhart, Lott, Merrill, Oliver, Ritch, Spalding, Summerour, Walker, Whitworth, Williams of Terrell, Wilson.

So the bill was passed.

The Senate took up as the report of the Committee of the Whole, a bill of the House of Representatives to authorize Mark A. Harden to sell certain property therein named, to make titles thereto, and for other purposes.

The report was agreed to. The bill was read the third time and passed.

Mr. Paine offered the following resolution, which was taken up, read, and agreed to:

WHEREAS, there are five clerks in the Senate who held positions in the Senate, at its last session, and came here at this session, supposing they held their positions over: and, whereas, said clerks rendered services in the Senate prior

to the resolutions under which they came in at this session, for which services they cannot obtain certificates; therefore,

Resolved, by the Senate, That the Auditing Committee of the Senate inquire into the time said clerks have rendered services, and that the Secretary be authorized and required to certify for said clerks for said extra time.

The following message was received from the House of Representatives, by Mr. Hillyer, their Clerk:

Mr. President :—The House of Representatives have passed the following bill of the Senate, to-wit:

A bill to amend the tenth section of an Act entitled An Act to lay out and organize a new county from the counties of Lumpkin and Gilmer, and for other purposes, assented to December 3d, 1857, and to provide for carrying out the true intent and meaning of the same, with an amendment, in which they ask the concurrence of the Senate.

Mr. Harris, of Dougherty, from the committee on enrollment, reported as duly enrolled and ready for the signature of the President of the Senate:

An Act to incorporate the town of Tallapoosa, in the county of Harralson, and to amend an Act entitled An Act to incorporate the Grand Lodge of Knights of Jericho, of the State of Georgia, and for other purposes; also,

An Act to incorporate the Georgia Insurance Company; also,

An Act to amend an Act entitled An Act to give all persons employed on all steamboats and other water-crafts, on the Chattahoochee, Altamaha and Ocmulgee rivers a lien on said steamboats, or water-crafts, for his, her, or their wages, and for wood and provisions furnished, and point out and facilitate the mode of the collection of the same, assented to December 11th, 1841, and for other purposes therein mentioned; also,

An Act to authorize the Ordinary of Chattooga county to pay John A. Rose and John Hammons their accounts against the poor school fund of said county, and to authorize the Ordinary of Monroe county to pay L. W. Jarrell for teaching poor children in said county; also,

An Act to incorporate the Wood Hydraulic Hose Gold Mining Company; also,

An Act for the relief of E. T. Linah, of Warren county, from the double tax imposed for the year 1860; also,

An Act to legalize the acts and doings of A. P. Dearing, as administrator of his father, William Dearing, deceased; also,

An Act to amend the charter of the Georgia Western Rail Road Company, passed in the year 1851, and to authorize the Governor to grant to said Georgia Western Rail Road Company, and the Polk Slate Quarry Rail Road Company, the right to build and construct their railroad on the right of way of the Western & Atlantic Rail Road, and for other purposes; also,

An Act to provide for the disposal of the estate of Frances Brooks, late of Marion county, deceased; also,

An Act to allow and authorize Wm. J. Avery, of the county of Merriwether, to peddle in the said county without license; also,

An Act to amend an Act entitled An Act to regulate the fees of jurors in Justices' Courts, in the counties of Catoosa and Dade, so far as the same relates to the county of Catoosa; also,

An Act to provide for the distribution of the common school fund to which the counties of Gilmer, Fannin and Dade are, or may be, entitled to under and by virtue of an Act passed 11th day of December, 1858, and to repeal a part of the third section of an Act to alter and amend an Act entitled An Act to provide for the education of the children of this State between certain ages, and to provide an annual sinking fund for the extinguishment of the public debt—assented to 21st December, 1859—so far as said section relates to Dougherty county, and to authorize the Ordinary of Chattooga county to pay E. H. Swelling for teaching poor children, and to extend the provisions of this Act to the counties of Liberty and Mitchell, and for other purposes; also,

An Act to consolidate the offices of the Clerks of the Superior and Inferior Courts of Clayton county; also,

An Act to incorporate the Griffin Fire Company, No. 1, and to constitute the same a military company for certain purposes herein named, and to confer on the members thereof certain privileges and exemptions; to authorize the Atlanta Fire Company, No. 1, to increase their numbers; to incorporate the several Military Companies herein mentioned, and for other purposes; also,

An Act for the relief of James P. Wilkinson, of the county of Walton, security on the penal bond of B. J. Wilson; also,

An Act to transfer all suits from the Superior Court of the county of Heard, in which B. H. Wright is defendant, and all papers appertaining to the same, to the Superior Court of the county of Carroll; also,

An Act to amend the 12th section of the 13th division of the Penal Code; also,

An Act to incorporate the town of Talbotton and extend the limits of the same, and to repeal all laws in relation to said town in conflict with this Act; also,

An Act to authorize A. Wallace Starke, of the State of Alabama, to act as administrator of the estate of George W. Harrison, deceased, late of the county of Baldwin, and for other purposes ; also,

An Act to authorize the Courts of Ordinary of this State to issue executions in favor of widows and children, for the twelve months support allowed them by appraisers, appointed for that purpose, under an Act of the General Assembly, approved the nineteenth day of February, A.D. 1860 ; also,

An Act to organize a volunteer battalion in the city of Macon, to be called the Independent Volunteer Battalion of Macon.

The Senate took up as the report of the committee of the Whole, a bill of the House of Representatives to alter and change the county line between the counties of Glasscock and Jefferson.

The report was agreed to. The bill was read the third time and passed.

The Senate took up as the report of the committee of the Whole, a bill of the House of Representatives to change the name of the Southern Central Agricultural Society, and to appropriate money for the same.

The report was agreed to. The bill was read the third time and passed.

Mr. Harris of Dougherty, from the Committee on enrolment, reports as duly enrolled, and signed by the Speaker of the House of Representatives, and ready for the signature of the President of the Senate :

An act to incorporate the town of Colquitt, in the county of Miller, to amend the second, fourth and sixth sections of the act incorporating the town of Blackshear, Pierce county, approved Dec. 16th, 1859, and add additional sections to said act, and to amend the act incorporating the town of Quitman, and for other purposes ; also,

An act to incorporate Liberty Hill Baptist Church, in the county of Henry, and to appoint Trustees for the same, and the Oxford Female Academy, in the town of Oxford ; also,

To appoint Commissioners for the Methodist Church in the county of Emanuel, known as Kea's Church, and for other purposes ; also,

An act to extend the provisions of an act passed 19th Dec. 1858, to allow and make compensation to the Reporter of the Supreme Court for certain volumes of the decisions of said Courts furnished by him under the provisions of the act of 1845, so as to include therein the former Reporter of said Court : also,

An act to provide for raising a revenue for the political year 1861, and to appropriate money for the support of the government during said year, and to make certain special appropriations, and for other purposes therein named; also.

An act to appropriate money to compensate Josiah J. Anderson for damages sustained as therein set forth, and for other purposes.

The Senate took up the following bill, which had been amended in the House of Representatives:

A bill to amend the tenth section of an act to lay out a new county from the counties of Lumpkin and Gilmer.

On motion the Senate refused to concur in the amendment.

The Senate took up as the report of the committee of the Whole, a bill of the House of Representatives to provide for an agricultural and geological survey of the State, and for other purposes.

The report was agreed to. The bill was read the third time and passed.

Mr. Harris of Dougherty, from the Committee on Enrolment, reports as duly enrolled, and ready for the signature of the President of the Senate:

An act consolidate the offices of Clerk of the Superior and Inferior Courts of the counties of Randolph and Harris, and for other purposes; also,

An act to change the forty-fourth section of the eighth division of the Penal Code of this State; also.

An act to repeal an act to exempt negroes employed by contractors in the construction of Rail Roads, from liability to work on roads on certain conditions; also,

An act to incorporate the Stephenson Gold Mining Company; also,

An act to incorporate the Athens Insurance Company.

The Senate took up, as the report of the Committee of the Whole, a bill of the House of Representatives to encourage volunteer artillery companies in this State, and to appropriate money for the same.

Mr. Harris of Worth moved to amend the report by adding an additional section appropriating five hundred dollars annually to the Governor's Horse Guards and Baldwin Blues; which was lost.

The report was agreed to.

Upon the question "Shall this bill now pass?" the yeas and nays were required to be recorded, and were yeas 23, nays 39.

Those who voted in the affirmative were Messrs:

Barclay, Barrow, Billups, Boggs, Briscoe, Burnett, Carter of Elbert, Cooper, Delapierriere, Ferrill, Flewellen, Fulton, Gaston, Harris of Dougherty, Harris of Worth, Hill of Wilkes, King, Lawton, McGehee, Moore of Laurens, Oliver, Printup, Reid of Morgan, Robinson, Sawyer, Shellnut, Smith of Hancock, Smith of Talbot, Spalding, Tracy, Wallace, Wellborn, Whitehurst.

Those who voted in the negative were Messrs:

Allred, Bartlett, Batts, Bond, Carter of Echols, Cloud, Cook, Davis, Denham, Donaldson, Glover, Green, Griffin of Twiggs, Hart, Holt, Hood, Hyde, Johnson of Clayton, Jones, Merrill, McLeod, Reid of Taliaferro, Riley, Ritch, Rushin, Shelton, Sheppard, Sturges, Summerour, Tarver, Trippe, Usry, Walker, Ware, White, Whitworth, Williams of Rabun, Williams of Terrell, Wynne.

So the bill was lost.

The Senate took up, as the report of the Committee of the Whole, a bill of the House of Representatives to incorporate the Loud Hydraulic Hose Mining Company.

The report was agreed to. The bill was read the third time and passed.

The Senate took up, as the report of the Committee of whole, a bill of the House of Representatives to incorporate the Mountain Town Hydraulic Hose Mining Company.

The report was agreed to, the bill was read the third time, and passed.

The Senate took up as the report of the committee of whole, a bill of the House of Representatives to incorporate the Laurence Gold Mining Company, in the county of White, and for other purposes.

On motion the same was referred to the Committee on consolidation.

The Senate took up, as the report of the Committee of the whole, a bill of the House of Representatives to organize the South Western Batallion of the State of Georgia.

The report was agreed to. The bill was read the third time and passed.

The Senate took up as the report of the Committee of the whole, a bill of the House of Representatives to amend an act to incorporate the Skidaway Shell Road Company.

The report was agreed to. The bill was read the third time and passed.

The following Message was received from the House of Representatives by Mr. Hillyer their Clerk:

Mr. President: The House of Representatives have passed the following bills of the Senate, to-wit:

A bill for the relief of Emily E. Grantham, wife of John W. Grantham, of Cobb county. Also,

A bill to amend an act entitled an Act to incorporate the Nacoochie Hydraulic Mining Company, assented to December 22nd, 1857. Also,

A bill to amend an act for the relief of the counties of Muscogee and Talbot, and the city of Columbus, and to amend and explain an act to oblige vessels and persons coming from places infected with epidemic diseases, to perform quarantine and to prevent bringing in and spreading maglignant and contagious disorders in this State, passed December 14th, 1793, approved December 29th, 1836.

* The House have also considered the amendment of the Senate to a bill of the House of Representatives to change the line between the counties of Merriwether and Talbot, and have disagreed thereto; and ask the Senate to recede from said amendment.

† They have also concurred in the Senate's amendment to the following bills of the House of Representatives, to-wit:

A bill to incorporate the Courtecay Hydraulic Hose Mining Company. Also,

A bill to approve, adopt, and make of force in the State of Georgia, a revised Code of Laws, prepared under the direction and by authority of the General Assembly thereof, and for other purposes therewith connected.

The Senate took up, as the report of the Committee of the whole, a bill of the House of Representatives in relation to making returns by the representatives of deceased guardians, executors, administrators, and trustees.

The report was agreed to, the bill was read the third time and passed.

The Senate took up, as the report of the Committee of the whole, a bill of the House of Representatives, for the relief of Benjamin Williams, of Harris county.

The report was agreed to. The bill was read the third time and passed.

The Senate took up as the report of the committee of the whole, a bill of the House of Representatives to point out the mode of recovering on bonds given by vagrants.

The report was agreed to, the bill was read the third time, and passed.

The Senate took up as the report of the committee of the whole, a bill of the House of Representatives to alter and amend the first article of the Constitution relative to granting corporate powers and privileges.

The report was agreed to.

Upon the question "shall this bill now pass?" the yeas and nays were recorded, and were yeas 68, nays 0.

Those who voted in the affirmative were Messrs:

Allred, Barclay, Barrow, Bartlett, Batts, Billups, Boggs, Bone, Briscoe, Brown, Burnett, Carter of Echols, Carter of Elbert, Cloud, Cooper, Cook, Davis, Delaperriere, Donaldson, Ferrill, Flewellen, Fulton, Gaston, Green, Hart, Harris of Dougherty, Harris of Worth, Hill of Wilkes, Holt, Hood, Hyde, Jamison, Johnson of Clayton, Jones, Lamar, Lawton, Lockhart, Merrill, McGehee, McLeod, Moore of Laurens, Oliver, Paine, Printup, Quillian, Reid of Taliaferro, Riley, Ritch, Robinson, Rushin, Sawyer, Shellnut, Sheppard, Smith of Hancock, Smith of Talbot, Sturges, Tarver, Tracy, Trippe, Usry, Walker, Wellborn, White, Whitehurst, Whitworth, Williams of Terrell, Wilson, Wynne.

Nays none.

So the bill was passed by a Constitutional majority of two thirds.

The Senate took up, as the report of the Committee of the whole, a bill of the House of Representatives to authorize the formation of two fire companies in the city of Albany to be called the Albany Hook and Ladder Company No. 1, and the Albany Fire Company No. 1.

The report was agreed to, the bill was read the third time and passed.

The Senate took up as the report of the Committee of the whole, a bill of the House of Representatives to incorporate Fort Valley Female College, in the town of Fort Valley, and for other purposes.

Mr. Moore of Laurens moved to amend the report by adding additional sections incorporating the town of Dublin, in the county of Laurens, which was agreed to.

The report as amended was agreed to. The bill was read the third time and passed.

The Senate took up as the report of the Committee of the Whole, a bill of the House of Representatives for the relief of David W. Lewis, of Hancock county, and for other purposes.

Mr. Smith of Hancock moved to amend the report by striking out all that relates to John Gardner; which was agreed to.

The report as amended was agreed to. The bill was read the third time and passed.

On motion of Mr. Quillian the rules were suspended, and the Senate took up the report and resolution relative to the time allowed the Recording Clerk for recording the Journals.

Mr. Jones moved to strike out "fifty," and insert "thirty."

Upon agreeing to which motion the yeas and nays were recorded, and were yeas 21, nays 56.

Those who voted in the affirmative, were Messrs.

Bartlett, Bond, Cloud, Green, Griffin of Twiggs, Hill of Wilkes, Hood, Hyde, Jamison, Jones, Merrill, Riley, Shellnut, Sheppard, Sturges, Tarver, Trippe, White, Whitworth, Williams of Rabun, Wilson.

Those who voted in the negative, are Messrs.

Barclay, Barrow, Batts, Billups, Boggs, Briscoe, Brown, Burnett, Byars, Carter of Echols, Carter of Elbert, Cooper, Cook, Cone, Davis, Delaperriere, Denham, Donaldson, Ferrill, Flewellen, Fulton, Gaston, Hart, Harris of Dougherty, Harris of Worth, Hill of Troup, Holt, Johnson of Clayton, King, Lamar, Lawton, Lockhart, McGehee, McLeod, Moore of Laurens, Oliver, Paine, Printup, Quillian, Reid of Taliaferro, Ritch, Robinson, Rushin, Shelton, Smith of Hancock, Smith of Talbot, Spalding, Summerour, Tracy, Usry, Walker, Ware, Wellborn, Whitehurst, Williams of Terrell, Wynne.

So the motion to strike out did not prevail.

On motion, the report and resolution was then agreed to.

The Senate took up, as the report of the Committee of the Whole, a bill of the House of Representatives, for the relief of R. D. Faircloth, of Mitchell county, and for other purposes.

Mr. Printup moved to amend the report by adding an additional section for the relief of Moses Park, of Walker county.

The report as amended was agreed to. The bill was read the third time and passed.

The Senate took up as the report of the Committee of the Whole, a bill of the House of Representatives, to enable parties having claims against the Nashville and Chattanooga Railroad company, in the State of Georgia, to perfect service upon said company, and for other purposes.

The report was agreed to. The bill was read the third time and passed.

The Senate took up, as the report of the Committee of

the Whole, a bill of the House of Representatives, to protect the rights of the people of Georgia.

On motion the same was indefinitely postponed.

Mr. Harris, of Dougherty from the committee on enrollment reports as duly enrolled, and signed by the Speaker of the House of Representatives, and ready for the signature of the President of the Senate,

An act to repeal the 1st and 2nd sections of an act of the 17th December, 1859, relative to defaulters for taxes, and to provide for the relief of said defaulters in certain cases, and to tax certain articles.

A resolution in relation to the several Courts of this State adjourning, when the time of sitting interferes with the coming State Convention; also,

An act to amend an act entitled an act to incorporate the Georgia White Path Gold and Copper company, approved Feb. 18th, 1856; also,

An act to establish a Mounted Police in the county of McIntosh, to levy a tax upon the slave holders of the two hundred and seventy-first and seventy-second Districts, Georgia Militia, in said county, and for other purposes therein mentioned.

An act for the relief of Mitchell Fountain and Lemuel Lavendar, securities of James Myers, of the county of Wilkinson; also,

An act to prevent the firing of woods between the first day of May and the first day of February in each and every year, in the county of Wilcox, and for other purposes; also,

An act for the relief of Jeremiah H. Dupree, Receiver of Tax Returns in and for the county of Dooly; also,

An act to appropriate money to the Cotton Planters' Convention of the State of Georgia, and for other purposes; also,

An act for the relief of Daniel W. Shine, of the county of Twiggs; also,

A resolution in response to the State of Mississippi.

The Senate took up as the report of the Committee of the Whole, a bill of the House of Representatives, to change the line between the counties of Randolph and Calhoun. Early and Miller, Stewart and Quitman, Wilcox and Telfair, Dooly and Pulaski, Gilmer and Fannin, Lumpkin and White, and for other purposes.

Mr. Robinson moved to amend by striking out the 7th section; which was agreed to.

Mr. Cloud moved further to amend the report by striking out the 9th section; which was agreed to.

The report as amended was agreed to, the bill was read the third time, and passed.

Mr. Harris of Dougherty, from the committee on enroll-

ment, reports as duly enrolled and ready for the signature of the President of the Senate,

An act to change the county line between the counties of Terrell and Webster; also,

An act to incorporate the Swainsboro Railroad company; also,

An act to reduce the work on Roads in this State, so far as relates to the counties of Appling, Coffee and Ware; also,

✱ An act to change the line between Emanuel and Johnson counties, so as to add the residence of Allen Meeks and Wm. Flanders to the county of Emanuel; also,

An act to confer certain powers and privileges on the Tax Collector and tax payers of Stewart County; also,

• An act to change the times of holding the Superior Courts of the counties of Muscogee and Floyd, and also to change the times of holding the Inferior Courts of the counties of Catoosa and Bibb; also,

An act to change the line between the counties of Henry and Butts; also,

An act to make penal the using of any poisonous substance in any of the water courses in the county of Webster for the purpose of poisoning and catching fish; also,

An act to compensate the Sheriffs of the counties of Banks, Milton and Whitfield, for summoning Jurors, and to compensate the Sheriff and Deputy Sheriff of Fulton county, and to pay the Sheriff of Murray county forty dollars; also,

An act to authorise Guardians, Trustees, Executors and Administrators to invest in the bonds of the cities of Savannah and Augusta; also,

An act to amend an act entitled an act to alter and amend the Road Laws of this State, so far as the same relates to the county of Wayne, assented to December the 22nd., 1857; also,

An act to change the line between the counties of Newton and Jasper, and also the line between Polk and Cass; also,

✱ An act to provide for the trial of causes in the Superior Courts of this State, when the Judge presiding in such Court shall be incompetent to try the same under existing laws; also,

An act to amend an act entitled an act to authorise the city council of Rome to subscribe one hundred thousand dollars of stock in the Georgia & Alabama Railroad Company upon certain conditions, and for other purposes, passed Dec. 22d, 1857; also,

An act to amend an act entitled an act to name and incorporate the town of Spring Place, in the county of Murray, assented to in 1834, and to repeal an act to amend the 6th section of the above recited act, assented to 1839, and for other purposes hereinafter mentioned; also,

An act to repeal an act to levy a tax on all goods peddled in this State, or sales by samples or otherwise, by itinerant drummers, or other persons, and for other purposes, assented to December 15th, 1859 ; also,

An act for the relief of Smith Campbell, late of the county of Worth, now of Butts county, also for the relief of John Stewart, of the county of Baldwin, and also for the relief of Benjamin H. Cross, of Pierce county ; also,

An act to regulate and prescribe the fees of Juries in civil cases, so far as relates to the county of Catoosa, and for other purposes ; also,

A bill to authorise the Inferior Court of Putnam county to levy an educational and military tax.

The Senate took up, as the report of the Committee of the Whole, a bill of the House of Representatives, to appoint commissioners, and to remove obstructions in Briar creek, from the mouth of said creek to Thompson's Bridge, in Burke county, and for other purposes.

On motion the same was indefinitely postponed.

The Senate took up, as the report of the Committee of the Whole, a bill of the House of Representatives for the relief of John M. Willite, of Jackson county.

Pending which, the hour of adjournment having arrived the President adjourned the Senate until 3 o'clock, P. M.

THREE O'CLOCK, P. M.

Senate met according to adjournment.

The Senate took up, as the report of the Committee of the Whole, a bill of the House of Representatives, to incorporate the West Point and Franklin Navigation Company, and for other purposes therein named.

The report was agreed to. The bill was read the third time and passed.

The Senate took up, as the report of the Committee of the Whole, a bill of the House of Representatives, for the relief of C. D. Crittenden, of the county of Schley.

The report was agreed to. The bill was read the third time and passed.

The Senate took up as the report of the committee of the whole, a bill of the House of Representatives, for the relief of James M. Summers, of the county of Forsyth.

The report was agreed to. The bill was read the third time and passed.

The Senate took up as the report of the committee of the whole, a bill of the House of Representatives, for the relief of Hiram L. Travis, of she county of Spalding.

The report was agreed to. The bill was read the third time and passed.

The Senate took up as the report of the committee of the Whole, a bill of the House of Representatives, for the relief of Edmund Palmer and William L. Buxton, both of the county of Burke.

The report was agreed to. The bill was read the third time and passed.

The Senate took up, as the report of the Committee of the Whole, the following bill of the House of Representatives, which had been amended in the Senate, in which the House of Representatives refused to concur :

A bill to change the line between the counties of Merriwether and Talbot and Appling and Ware.

On motion the Senate receded from its amendment.

Mr. Printup moved to reconsider so much of the journal of to-day as relates to the vote by which a bill to encourage Volunteer Companies in this State, and appropriate money for the same, was lost ; which was agreed to.

The Senate took up as the report of the Committee of the whole, a reconsidered bill to encourage Volunteer Companies in this State, and to appropriate money for the same.

Mr. Printup moved to amend the report by striking out "five hundred " and inserting "two hundred," which was agreed to.

The report as amended was agreed to, the bill was read the third time, and upon the question " shall this bill now pass ? " the yeas and nays were recorded, and were yeas 39, nays 28.

Those who voted in the affirmative are Messrs. :

Barclay, Barrow, Bartlett, Billups, Briscoe, Brown, Burnett, Byars, Carter of Echols, Carter of Elbert, Cooper, Cook, Cone, Ferrill, Flewellen, Harris of Dougherty, Harris of Worth, Hill of Troup, Hill of Wilkes, Holt, King, Lamar, Lawton, Lockhart, McGehee, Oliver, Paine, Printup, Robinson, Rushin, Smith of Hancock, Smith of Talbot, Spalding, Tracy, Trippe, Wellborn, Whitehurst, Williams of Terrell, Wynne.

Those who voted in the negative are Messrs.

Allred, Batts, Bond, Davis, Denham, Donaldson, Green, Griffin of Twiggs, Hart, Hood, Hyde, Johnson of Clayton, Merrill, Quillian, Reid of Taliaferro, Riley Ritch, Sawyer, Shelton, Shellnut, Sheppard, Sturges, Summerour, Tarver, Walker, White, Whitworth, Williams of Rabun.

So the bill was passed.

The Senate took the unfinished business of the morning, which was a bill for the relief of John M. Wilhite.

The report was agreed to. The bill was read the third time and passed.

The following message was received from the House of Representatives, by Mr. Hillyer, their Clerk.

Mr. President—The House of Representatives have passed the following bills of the Senate, to-wit :

A bill to incorporate and to appoint trustees for the Baptist Church of Christ, at Deep Spring, in the county of Whitfield, to incorporate and to appoint trustees for the Mountain Town Camp Ground, of the Methodist Episcopal Church in the county of Gilmer; to incorporate and appoint trustees for the Bold Spring Methodist Camp Ground in the county of Whitfield, and to incorporate and appoint trustees for the McDonough Methodist Camp Ground in Henry county; also,

A bill to prevent the driving of any horned cattle, or cattle of the cow kind, from South Carolina, Alabama, or any of the counties of Georgia south of Cherokee, Gordon and Murray, into the county of Gilmer, between the 15th day of May, and the 15th of October in each year, and for other purposes; also,

A bill to incorporate the Fire Insurance Company of the City of Savannah; also,

A bill to incorporate the Georgia Banking Company.

Mr. Paine of Telfair, from the committee on enrollment, reports, as duly enrolled, and signed by the Speaker of the House of Representatives, and ready for the signature of the President of the Senate :

An act to change the name of the Southern Commercial Agricultural Society, and to appropriate money for the benefit of the same; also,

An act to authorize Mark A. Hardin to sell certain property therein named, to make titles thereto, to enable Mary A. Graham, administratrix of John Graham, deceased, to sell, at private sale all the real property of said estate, and for other purposes; also,

An act in relation to making returns by the representatives of deceased Guardians, Executors, Administrators and Trustees; also,

An act to organize the South-Western Battallion of the State of Georgia, and to confer certain privileges on the same; also,

An act to incorporate the Courticay Hydraulic Mining Company; also,

An act to alter and amend the first article of the Constitution, relative to granting corporate powers and privileges ; also,

An act to amend an act entitled an act, to incorporate the Skidaway Shell Road Company, and for other purposes therein named, assented to 22d Dec. 1857 ; also,

An act to alter and change the county line between the counties of Glasscock and Jefferson and for other purposes ; also

An act to point out the mode of recovering on bonds given by vagrants ; also ;

An act to incorporate the Loud Hydraulic Hose Mining Company ; also,

An act to approve, adopt, and make of force, in the State of Georgia, a revised Code of Laws, prepared under the direction and by the authority of the General Assembly thereof, and for other purposes therewith connected ; also,

An act to pay James H. Estes, a sum of money lost by reason of an error in the records of the State of Georgia.

The Senate took up the following bill, which had been amended in the House of Representatives :

A bill to authorize the Inferior Court of Lowndes county to pay out of the county funds, the Commissioners appointed under an act entitled an act to remove the county site of Lowndes county, and for other purposes.

On motion the amendment was concurred in.

The Senate took up the following bill, which had been amended in the House of Representatives :

A bill to alter and amend an act, to prohibit the sale of deadly weapons and for other purposes.

On motion the amendment was concurred in.

Mr. Paine of Telfair, from the Committee on Enrollment, reports as duly enrolled and signed by the Speaker of the House of Representatives, and ready for the signature of the President of the Senate :

An act to incorporate Fort Valley Female Academy in the town of Fort Valley ; and to incorporate Charlton Chapel in the town of Nebraska, in the county of Banks ; and to incorporate trustees of the Hephzibah High School, to be located at Brothersville in the county of Richmond, and for other purposes.

The following message was received from His Excellency the Governor, by Mr Waters, his Secretary, to-wit :

Mr. President: The Governor has approved and signed the following acts, to-wit :

An act to legalize the acts and doing of A. P. Dearing, as administrator of his father, William Dearing deceased.

An act to incorporate the Belgian American Company, for the development of Direct Trade with the Southern States of the United States, and to grant the right of domicile to said company, and for other purposes.

An act to change the line between the counties of Haralson and Carroll, and for other purposes.

An act to authorize the Governor to furnish arms to organize Volunteer Companies not uniformed.

An act to provide for the survey of lands claimed as exempt under the statute, assented to Dec. 11th 1841, and for other purposes.

An act to alter and amend an act entitled an act, to alter and amend the Patrol laws of this State, approved Feb. 20th 1854, so far as relates to the county of Dougherty.

An act to authorize the Ordinaries of Walton and Newton counties to pay certain teachers for teaching certain poor children.

An act to authorize constables in any Militia District in this State, to serve writs and other process of law outside of their respective districts in certain cases.

An act for the relief of certain citizens of the county of Gilmer, for illegal voting.

An act to incorporate the Savannah, Western and Central Wharf Company.

An act to incorporate the Amacolala Camp Ground of M. E. Church, in Dawson county, and for other purposes therein specified.

An act to authorize the court of Ordinary of the county of Calhoun, to pay certain moneys; also to amend an act to carry into effect the amended constitution of this State, in reference to the Ordinaries of said State, assented to Jan. 21st 1852.

An act for the relief of Origin A. V. Rose and Mary M. Wallace, formerly Mary M. Mitchell of Pulaski county.

An act to provide for the public defence, and for other purposes.

An act to amend the several acts of the General Assembly, relating to the South-Western Railroad Company, and to authorize the said company to construct a branch railroad, and for other purposes.

An act to repeal an act entitled an act, to alter and amend the road laws of this State, so far as relates to the county of Montgomery, assented to 19th December 1840.

An act to amend an act, approved 27th February 1856, to incorporate Ocmulgee Mills in Butts county, and to increase the capital stock of the same.

Also the resolutions in response to the State of Mississippi.

The following message was received from the House of Representatives by Mr. Hillyer, their Clerk:

Mr. President—The House of Representatives have passed the following bill of the Senate, to-wit:

A bill to add a proviso to the fourth section of an act entitled an act for the relief of the people and Banks of this

State, and for other purposes, passed on 30th Nov., 1860, and to add an additional section to the said act with amendments, in which they ask the concurrence of the Senate.

They have also concurred in the Senate's amendments to the following bills of the House of Representatives, to-wit :

A bill for the relief of R. D. Faircloth of Mitchell county, and for other purposes ; also,

A bill to incorporate Fort Valley Female College in the town of Fort Valley, and to incorporate Trustees for the same ; also to incorporate Charlton Chapel, Nebraska, Banks county ; also to incorporate the Trustees of Hephzibah High School at Brothersville, Richmond county, and for other purposes ; also,

A bill for the relief of David W. Lewis, of the county of Hancock, and to authorize John Gardner of Wilkinson county, Executor of the last will and testament of Harriett Smith, late of Houston county, deceased, to take the legacy devised in said will to the heirs of Lewis Gardner, deceased, to the residence of said heirs in the State of Arkansas for the purpose of paying the same to said heirs or their representatives ; also,

A bill for the publication of the Code of the State of Georgia, to point out the mode of doing the same, to fix the price, and authorize the purchase of five thousand copies of the same for the State, &c.

They have also passed the following bills of the Senate, to-wit :

A bill to confer certain privileges therein named on the Cotton Planters Association of Georgia ; also,

A bill to authorize the Inferior Court of Lowndes county to pay out of the county funds, the Commissioners appointed under an act entitled an act to remove the county site of Lowndes county, to change the lines between said county and the county of Brooks and for other purposes, assented to November 21st, 1859, with amendments in which they ask the concurrence of the Senate ; also,

A bill to revive and continue in force an act amendatory of, and in addition to an act to provide for the compensation of Grand Jurors of Lumpkin county, passed Dec. 7th, 1843 ; also,

A bill to authorize the Justices of the Inferior Courts to appropriate the poor school fund, when in their judgment it is necessary and proper to the purchase of provisions and fire wood for the poor for the year, 1861 ; also,

A bill to incorporate the Warren county Agricultural Society ; also,

A bill to alter and amend an act entitled an act to prohibit the sale of deadly weapons, and to prescribe the manner of carrying the same, and to provide for a violation of the same, and for other purposes therein named, assented to January 12th, 1852, so far as to add a proviso to the third section thereof, with amendments in which they ask the concurrence of the Senate ; also,

A bill to extend the time for opening books of subscription under the charter of the Central Insurance Company of Georgia, and for other purposes.

The Senate took up, as the report of the Committee of the Whole, a bill of the House of Representatives authorizing bail to be given for slaves in certain cases mentioned.

The report was agreed to, the bill was read the third time and passed.

The Senate took up the following bill, which had been amended in the House of Representatives :

A bill to add a proviso to the fourth section of an act for the relief of the people and Banks of this State, and for other purposes.

On motion the Senate concurred in the amendments except the first, which they refused to concur in.

The Senate took up as the report of the committee of the Whole, a bill of the House of Representatives for the relief of James McCrairy, Samuel B. Saxon, and others therein named of Union county.

The report was agreed to. The bill was read the third time and passed.

The Senate took up as the report of the Committee of the Whole, a bill of the House of Representatives to regulate the practice of Physic in the county of Elbert, and for other purposes.

The report was agreed to. The bill was read the third time and passed.

The following message was received from the House of Representatives, by Mr. Hillyer, their Clerk :

Mr. President:—The House of Representatives have passed the following bills of the Senate, to-wit:

A bill to amend the 16th section of an act to authorize the issuing of attachments and garnishments, and to regulate proceedings in relation to the same, and for other purposes therein mentioned, assented to March 4th, 1856.

They have also passed the following Resolutions, to-wit: Resolutions relative to the case of the State against Anesworth E. Blount, former Agent of the Western & Atlantic Rail Road.

They have also receded from their last amendment to the following bill of the Senate, in which the latter have refused to concur, to-wit;

A bill to define the boundary line between the counties of Chattahoochee and Muscogee, so as to include the plantation of Gabriel Toombs, in the county of Muscogee.

The Senate took up as the report of the committee of the whole, a bill of the House of Representatives to incorporate the Coosa Bank.

The report was agreed to. The bill was read the third time and passed.

The Senate took up as the report of the Committee of the whole, a bill of the House of Representatives to change the mode and manner of disbursing the common school fund, for the county of Rabun.

The report was agreed to. The bill was read the third time and passed.

Mr. Paine of Telfair, from the Committee on Enrollment, reports as duly enrolled and signed by the Speaker of the House of Representatives, and ready for the signature of the President of the Senate:

An act for the relief of James M. Lummus, of the county of Forsyth, and for other purposes. Also,

An act for the relief of C. D. Crittenden, of the county of Schley, and for other purposes. Also,

An act to incorporate the West Point & Franklin Navigation Company, and for other purposes therein named. Also,

An act to incorporate the Mountain Town Hydraulic Hose Mining Company.

The following Message was received from the House of Representatives, by Mr. Hillyer, their Clerk:

Mr. President: The House of Representatives have passed the following bills of the Senate, to-wit:

A bill to change the line between the counties of Fayette and Clayton, and for other purposes therein mentioned; also,

A bill to alter and amend the several Acts relative to the licensing of physicians in this State, approved December 24th, 1825, and February 13th, 1854, and for other purposes, with an amendment, in which they ask the concurrence of the Senate.

The House has receded from their first amendment to the Senate bill amendatory of the 4th section of the bill for the relief of the people and the banks.

Mr. Paine offered the following resolution, which was taken up, read and agreed to:

Resolved, That the thanks of the Senate are due, and are hereby tendered to the Honorable T. L. Guerrey, President of the Senate, for the able, dignified and impartial manner in which he has discharged his duties during the present session of the General Assembly.

Mr. McGehee offered the following resolution, which was taken up, read and agreed to:

Resolved, That the thanks of the Senate are hereby tendered to the Hon. John Billups, for the able, impartial and courteous manner in which he has discharged the duties of President *pro tem* of the Senate.

The following Message was received from the House of Representatives, by Mr. Hillyer, their Clerk:

Mr. President: The House of Representatives have passed a resolution in relation to field batteries for artillery companies; which I am directed to transmit to the Senate.

Also a resolution in relation to the death of the Hon. Charles J. McDonald; which I am likewise directed to transmit forthwith to this branch of the General Assembly.

Mr. Fulton offered the following resolution, which was taken up, read and agreed to:

Resolved, That the thanks of the Senate be, and they are, hereby tendered to Fred. H. West, Secretary, and James A. Pringle, Assistant Secretary, for the efficient and worthy manner in which they have discharged the onerous duties of the present session.

Mr. Holt offered the following resolution:

Resolved, By the General Assembly, That its session be extended to 5½ o'clock.

Upon agreeing to which, the yeas and nays were recorded, and were yeas 57, nays 9.

Those who voted in the affirmative are Messrs.

Allred, Barclay, Barrow, Bartlett, Batts, Bond, Briscoe, Brown, Byars, Carter of Echols, Carter of Elbert, Cloud, Cooper, Cook, Cone, Davis, Denham, Ferrill, Flewellen, Fulton, Gaston, Green, Harris of Worth, Hill of Troup, Hill of Wilkes, Holt, Hood, Hyde, Jamison, Jones, King, Lamar, Lockhart, Merrill, McGehee, McLeod, Oliver, Paine, Printup, Quillian, Reid of Taliaferro, Rushin, Shelton, Smith of Hancock, Smith of Talbot, Snell, Sturges, Tar-

yer, Tracy, Trippe, Walker, Wallace, Wells, White, Williams of Rabun, Williams of Terrell, Wynne.

Those who voted in the negative are Messrs.

Burnett, Donaldson, Griffin of Twiggs, Harris of Dougherty, Lawton, Ritch, Sawyer, Ware, Whitworth.

So the resolution was agreed to.

Mr. Paine from the Committee on Enrollment, reported as duly enrolled and ready for the signature of the President of the Senate:

1. An act to protect the owners of stock in the counties of Fannin, Gilmer and Dawson, against killing any stock of the description therein named, under any claim or pretended claims, except as herein provided, and to provide penalties for the same; also,

An act to incorporate the town of Montezuma, in Macon county, and to repeal 12, 13 and 14 sections of an act approved 8th February, 1854; also,

An act to regulate the granting licenses to retail spirituous liquors in the counties of Burke and Columbia, and for other purposes; also,

An act to change the time of holding the Superior Courts of the counties of Washington, Wilkinson, Polk, and Carroll, and to add the county of Washington to the Ocmulgee Judicial Circuit, and for other purposes therein mentioned; also,

An act to consolidate the offices of Tax Collector and Receiver of Tax Returns, in the county of Catoosa, and to compensate the officers of Receiver and Tax Collector of Muscogee county, and to authorize the Inferior Court of Muscogee county to levy an extra tax to pay Grand and Petit Jurors, and for other purposes; also.

An act to amend an act entitled an act to incorporate the Nacoochee Hydraulic Mining Company, assented to December 22d, 1857; also,

An act to incorporate the Glover Guards, of the town of Monticello, in Jasper county, and the Fireside Guards, a Volunteer Company of Elbert county, and to grant them certain powers, and to extend the provisions of this act to the Columbia Volunteers in the town of Dearing, and also, to the Thompson Guards in the town of Thompson in Columbia county, and also, to extend the provisions of this act to the Scriven Sharp Shooters, in Scriven county, and for other purposes; also,

An act to point out the method of distributing negroes in certain cases therein mentioned; also,

An act to compel non-residents in the counties of Emanuel and Dade owning stock cattle in said counties to pay taxes for the same; also,

An act to change the form of the oath required of the tax payers in this State ; also,

An act to amend the several acts incorporating the city of Dalton, and amendatory of and in addition to the several acts incorporating the city of Atlanta, and to extend the corporate limits of the town of Cumming, in the county of Forsyth ; also,

An act for the relief of Emily E. Grantham, wife of John W. Grantham, of Cobb county ; also,

An act to prevent free negroes and slaves from keeping eating tables, and living separate and apart from their owners, hirers or Guardians, and to prevent their trafficking and trading in the town of Monroe, in this State, and to prescribe punishment for the same, and for other purposes ; also,

An act to provide by law a permanent plan for using the school fund in the county of Whitfield, and for other purposes therein mentioned.

Mr. Harris, of Worth, offered a resolution relative to acting on bills in case the General Assembly should be convened by the Governor ; which was agreed to.

Mr. Paine offered the following resolution, which was taken up, read and agreed to.

Resolved, by the Senate and House of Representatives, That a joint committee of two from the Senate and three from the House, be appointed to inform the Governor that the General Assembly is now ready to adjourn, and enquire whether he has any further communication or message to lay before either branch thereof.

I pursuance of which, the President appointed Messrs. Paine and Hood, as the Committee on the part of the Senate.

The following message was received from the House of Representatives, by Mr. Hillyer, their Clerk :

Mr. President : The House of Representatives have concurred in a resolution of the Senate, prolonging the session of the present General Assembly to half past 5 o'clock, P. M., this day, by a constitutional majority of yeas 90 and nays 6.

The House have also concurred in a resolution of the Senate, raising a joint committee to wait on his Excellency the Governor, and inform him that the General Assembly is now ready to adjourn, and inquire if he has any further communication to either branch thereof, and have appointed Messrs. Fannin, McWhorter and Gibson of Richmond, as that committee on that part of the House.

Mr. Paine, of Telfair, from the Committee on Enrollment,

reports as duly enrolled and signed by the Speaker of the House of Representatives, and ready for the signature of the President of the Senate,

An act to enable parties having claims against the Nashville and Chattanooga Railroad Company in this State to perfect service upon said company, and for other purposes; also,

An act to incorporate the Coosa Bank; also,

An act to change the line between the counties of Merriwether and Talbot, and Appling and Ware; also,

An act to provide for the publication of the Code of the State of Georgia, and to point out the mode of doing the same; also,

An act to encourage the Volunteer Artillery Companies of this State, and to appropriate money for the same; also,

An act for the relief of Edward Palmer and William L. Buxton, both of the county of Burke, and for other purposes; also,

An act for the relief of Hiram L. Travis; also,

An act for the relief of John M. Wilhite, of the county of Jackson; also,

An act to change the lines between the counties of Merriwether and Talbot, Appling and Ware; also,

An act to regulate the practice of physic in the county of Elbert, and for other purposes; also,

An act for the relief of Hiram L. Travis, of the county of Spalding, from double tax; also,

A bill for the relief of James McCrairy, Samuel B. Saxon, Wm. Nix, Bluford L. Dyer and Wm. J. Hood, of the county of Union; also,

An act to change the lines between certain counties therein named, and for other purposes.

Mr. Paine, from the Committee on Enrollment, reported as duly enrolled and ready for the signature of the President of the Senate,

A bill to authorise the Inferior Court of Lowndes county to pay out of the county funds the commissioners appointed under an act entitled an act to remove the county-site of Lowndes county, to change the lines between said county and the county of Brooks, assented to Nov. 21st, 1859, and also to change the time of holding the Inferior Courts of Calhoun county, and for other purposes.

The Senate took up a resolution of the House of Representatives relative to the death of Ex-Governor Charles J. McDonald.

On motion the resolution was concurred in unanimously.

Mr. Barclay offered the following resolution, which was taken up read and agreed to:

Resolved, That his Excellency, the Governor, be requested to furnish each Senator with a copy of the Journals of the Senate and House of Representatives, and a copy of the Laws passed at this session.

The Senate took up a resolution of the House of Representatives, relative to certain persons drawing money appropriated by the General Assembly.

On motion the same was concurred in.

Mr. Paine from the Committee of the Senate appointed, to wait on His Excellency the Governor to know if he has any further communication to make to either branch of the General Assembly, reported that the Senate Committee, in conjunction with a Committee from the House of Representatives, have discharged that duty, and received for reply that the Governor has no further message to lay before either branch of the General Assembly.

The following Message was received from the House of Representatives, by Mr. Hillyer, their Clerk :

Mr. President : I am directed to inform the Senate that the House of Representatives is now ready to adjourn *sine die*.

Mr. Paine, from the Committee on Enrolment, reported as duly enrolled, and ready for the signature of the President of the Senate and Speaker of the House of Representatives :

An act to add a proviso to the fourth section of an act entitled an act for the relief of the people and Banks of the State of Georgia, and for other purposes, passed on the 30th November, 1860, and to add an additional section to said act.

Mr. Paine offered the following resolution, which was taken up, read and agreed to :

Resolved, That the Secretary of the Senate be allowed four days after the adjournment of the General Assembly to file away and arrange the papers of the Senate.

On motion of Mr. Cone, the Senate adjourned *sine die*.

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